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THE GOVERNMENT AND IRISH CRIME.

ON Monday last Mr. GLADSTONE announced to an astonished public that in about a week the Government hoped to be in a position to say whether they were likely to bring in some sort of constitutional Bills to repress crime in Ireland. What a comfort for the Irish families who are now living in terror for the lives of those most dear to them! As the Judges of assize go on their melancholy rounds, they have to draw a picture for the consideration of the grand juries which is perfectly frightful. They have to speak of law utterly in abeyance, of the most cold-blooded and brutal murders, of rampant crime utterly undetected, of an entire paralysia of law. As Chief Justice MONAHAN pathetically observed, there was now nothing that he, as a judge, could even think of in order to restore the reign of law. The CHIEF JUSTICE could only pray that some satisfactory change might take place. When a Chief Justice, seeing crime triumphant and law powerless, can do nothing but pray that some unknown person may do something that cannot be described, peaceful and loyal subjects of the Crown may be said to have come to the extreme of misery. It is useless to go through the horrors that every day witnesses—a city like Waterford sacked by rioters, passengers, including women, shot at on cars in the high road, men killed by pitchforks in broad daylight, farmers forced by bullies with revolvers to give up land, threatening letters sent by every ruffian that thinks any honest man has done him an injury. For all these things there is now no punishment in Ireland. But Mr. GLADSTONE still hesitates to enforce the law, and this may seem strange, but the most serious consideration ought to be bestowed on the reasons that may be supposed to make him quietly endure the continuance of such a state of things. Perhaps one of the chief of these reasons is, that he does not realize what it is to live under such a reign of tyranny as that which now prevails in Ireland. But he has of course many other reasons for remaining passive. It may be said that if Ireland is to be pacified it must be pacified by measures of permanent utility. The Land Bill, for example, will, it may be hoped, stop agrarian murders. But if it is accompanied by repressive measures, all its healing and soothing effects will be nullified, and so, to mitigate a temporary evil, we should throw away the benefit of a lasting cure. Then, again, the Irish need above all things to be persuaded that they are treated fairly, that trial by jury is not a mere piece of solemn machinery for convicting the adversaries of the Sheriff, and that justice will be dealt out to every man alike. The education in justice which the Irish have lately begun to receive would, it may be urged, be rudely interrupted if the ordinary administration of justice were suspended, and Ireland treated as a country that must be placed under a benevolent tyranny. The view which the Liberal party, under the guidance of Mr. GLADSTONE, has adopted is that the Irish have really had much to complain of, and that large measures of relief ought to be accorded them. It is natural that a stage of transition, when those who have been wronged are suddenly righted, should be marked by tumult, violence, and perhaps crime. If the view of Mr. HARDY were right, and if the Irish have and had no grievances, and needed nothing but more bayonets driven into them, there could be no question but that measures of repression ought to be tried at once. But Mr. GLADSTONE may reasonably ask his Liberal supporters, those who advocated his Church Bill and advocate his Land Bill, what it is that they really want when they call out on the shocking state of Ireland, and whether there are any measures for repressing crime which could be immediately adopted, and which would be consistent with a policy of conciliation towards Ireland.

It is quite right to think of the future of Ireland, and not to be led into harsh measures by a temporary panic. The Irish

will only be good when they are happy, and they cannot be happy until justice is done them. It is also very wise to educate them into a confidence in ordinary law, and to treat them as friends, and not as enemies. But all these arguments are based on the assumption that the ordinary law runs its course, and, that if it is violated, the violation is directly connected with some grievance that will pass away when such legislation as is possible to the Imperial Parliament has been adopted. But what characterizes the present state of Ireland is a state of utter lawlessness. Almost any kind of violent crime, it is found, may be practically committed with impunity. The charge of Mr. Justice GEORGE to the Grand Jury of Cavan shows what the real mischief is, better perhaps than the charge of any other Judge, although all the charges that have been published are exactly in the same strain. Out of 76 cases reported by the constabulary only 12 were to be prosecuted. There had been seven cases of arson, and yet not a single person had been even arrested; three cases of robbery of arms, but "the same story, no person in custody, no trial, a 'total failure of justice'; 35 cases of sending threatening letters, and only one case for trial. These threatening letters by no means all related to land. They entered, as the Judge said, "into the most sacred transactions of society, and commanded 'people to do, and to abstain from doing, acts which ought 'to be left to their perfectly free will.' The charges of the Judges will necessarily have a great effect on public opinion, because it is now known, on authority which cannot be disputed, that the lawlessness of Ireland has passed quite out of the range of agrarian quarrels, and that law is defied simply because every one who has a wicked purpose in his heart finds that he can gratify it with perfect impunity. Now no good that we can do to Ireland, no abolition of the Irish Church, no security of tenure, no introduction of constitutional forms can possibly do as much good to the country as this extension of impunity to crime will do harm. The frightful demoralization which must ensue from its being found that every blackguard may do whatever is right in his own eyes will do more to hurt Ireland than any remedial Bills can benefit it. Ireland is at this moment being tainted with a poison that will corrupt every virtue it possesses. It is mortifying for Mr. GLADSTONE to have to own this, and so it is mortifying to Mr. GLADSTONE's friends and supporters to have to own it. But it is true, and no good ever came to any Minister or any party from wilfully ignoring the truth.

We sincerely hope that the result of the deliberations of the Cabinet will be to interpose in some effectual manner in order to save Ireland from a curse which is certainly worse than the incoming of a foreign army into the country would be. Whether the measures to be adopted are called constitutional or not seems to us a matter of perfect indifference. What is desirable is that they should be wise, and to be wise they must be temperate, not needlessly irritating, and yet effectual. What is the great mischief to be overcome in Ireland? It is that the law is paralysed. And why is the law paralysed? For two reasons; the first being that mobs find that they are permitted to break the public peace almost as they please; and the second being that where isolated acts of violence are committed no one will give evidence. To put down mobs with every possible precaution against unnecessary bloodshed, but to put them down, and to make evidence of crime forthcoming, are the two things most needed for Ireland. It happens that the changes that are needed are changes that would do nothing more than carry out the theory of English law. But then the theory of English law on these points is, as so often happens with English law, totally divorced from practice and from the habits of ordinary life. No part of English constitutional law is so unlike what ordinary people would suppose it to be as the law relating to the suppression of riots. And a change in

the law is quite as much needed for England as for Ireland. There would be no necessity to confine the Act to Ireland, so that the Irish need not complain of special legislation. It would not be any ground for hesitating that the legislation was special, as no reproach can be so great as that Ireland should be left in its present state. But, as it happens, it would be quite as useful in England as in Ireland that the law of Riots should be determined anew. No one can tell what in case of a riot ought to be done, or who is to order it to be done, or when it ought to be done, or who may do it. There is a popular idea that reading the Riot Act has a sort of magical effect, and enables magistrates to do something which they could not otherwise do. This is altogether a delusion. The reading of the Riot Act merely sanctions the use of force in trying to arrest persons who persist in forming part of a tumultuous meeting after an hour from the reading of the Act has elapsed. It was never meant to apply to cases where imminent danger is apprehended or violence has begun. Reading the Riot Act has passed into a warning to those breaking the law that those upholding the law are going to use force. No form of giving them warning could be more foolish. A frightened, miserable shopkeeper mumbles a few clauses of an Act of Parliament in a corner, and then it is supposed the law has a right to begin its work. What is wanted is some striking, intelligible, visible, or audible sign. Then, again, in the theory of the law, not only magistrates, but every subject present, is called on equally to put the law in force. Every one gains his title to act, and comes under his duty to act, in the same degree and at the same moment. Soldiers, as a judge once said, are only citizens with red coats on. They have no more right to come armed to a meeting than any one else has. If they come there armed, they may use their arms exactly when any one else may, and they are bound to use them if a proper occasion arises. This is the theory of the law; but it is totally unlike real life. The police and the soldiery come, as a matter of fact, with special force and special duties. If called on to act, each according to their vocation, they ought to be looked on as a weapon of the Executive, for the use of which the Executive is responsible, but which the Executive must use effectively if it uses at all. But who represents the Executive? At Waterford the stipendiary magistrate seems to have considered it the exclusive duty of the Mayor to preserve order, while the Mayor considered that the responsibility lay with the High Sheriff. There ought to be no doubt at all as to who is to direct the police, and still more the soldiery, when and how to act. The responsible official ought in each case to be known; and where a riot is apprehended, and there is time to prepare, it might be very desirable that (to speak for the moment of Ireland) the LORD-LIEUTENANT should be empowered to send to the place a special commissioner, a man of known firmness and prudence, who would assume the control of the public force, and who would of course be responsible to the law if he either failed to protect life and property, or wantonly slaughtered inoffensive persons. Such scenes as occurred at Waterford would be impossible if there had been some one there entrusted with sufficient authority, and determined at all cost to maintain the peace.

As to the other great evil under which Ireland is suffering, that of the impossibility of getting legal evidence, it will probably be necessary before long to suspend the Habeas Corpus Act in those districts where it appears, on unquestionable authority, that crime is largely committed with impunity. But it might also be considered whether the duty of aiding the law by giving evidence should not be enforced by penalties easily and quickly applied. A man is shot in broad daylight with half-a-dozen labourers close by. These poor creatures are unwilling or afraid to say a word that can criminate the murderer, whom they have seen walking off quietly after committing the crime. Every one knows that they know who did the deed, but the law cannot make them give evidence, or punish them for not giving evidence. This may be a good state of law sometimes, but it is not suited for Ireland now, nor would it be suited for any part of the British dominions where the population were leagued together to conceal crime. It is difficult to suppose that if the legal duty to aid in the discovery of crime were made a real duty, enforced by penalties, a very useful impression would not be produced, or that crimes would go so wholly unpunished if magistrates were empowered to commit summarily to prison for six months any person who, in their opinion, must have some clue to the criminal, or have wilfully taken measures to avoid having any clue. This is certainly giving magistrates a power which might be abused, but then something must be done, and this remedy would at least have the advantage of

being in aid of the existing law, and not a total departure from it. The Ministry, however, can alone decide what remedies are necessary and appropriate; but it cannot be doubted that the time has come for the Executive to ask for some new powers, and to put a stop, for the sake of Ireland, to a state of things the main evil of which is the terrible demoralization of the people.

THE CHINESE TREATY.

IT was not doubted that the Government would ratify Sir RUTHERFORD ALCOCK's Chinese Treaty, although it is almost unanimously disapproved by the merchants whom it principally concerns. It was necessary to choose between two systems of policy; and since his accession to office Lord CLARENDRON has been consistent in his determination to treat China with the respect and confidence due to a civilized Power. Although it is still alleged by the greater part of the English and American trading community that Mr. BURLINGAME's mission was a hoax, it would scarcely have been politic to dispute the validity of credentials or the authenticity of instructions which were accepted by the Governments of the other Treaty Powers. It matters little whether Lord CLARENDRON really believes in the liberal and enlightened intentions of the Imperial Court, for Mr. BURLINGAME concluded no treaty except with the Government of the United States; and the assurances which he received in England, in return for his communications, corresponded with the instructions which had been previously given to the civil and military servants of the Government. Consular agents and naval officers have been strictly prohibited from exacting redress from the local authorities, however slender may be the hope of satisfaction from applications to Pekin. Lord CLARENDRON's policy, although it is disliked by the English merchants in China, conforms to the provisions of the Treaty of Tien-tsin; nor indeed would it have been practicable to terminate the war by any convention, except on the understanding that the Central Government was capable of enforcing obedience to its commands. It is not impossible that the assumption of confidence in the Imperial authority may in some degree tend to justify itself; for the old habit of applying pressure at the spot where any grievance had been suffered involved a partial recognition of provincial independence. The traders who form the only part of the community which has direct relations with China naturally think that their interests ought to be primarily considered, and that their experience should be preferred to the conjectures and the assertions of diplomats; but the Government, on behalf of the nation, has a right to determine the conditions on which it protects the persons and property of its subjects abroad. There is no reason to fear that any gross and systematic injustice to English merchants will be permanently tolerated. The manufacturers who are deeply interested in the maintenance and extension of trade with China possess great Parliamentary influence; and any increase in the price of tea which might be caused by impediments to trade would be generally felt as an evil. The system of relying on the good faith and on the efficiency of the Imperial Government can at present only be regarded as an experiment, and it ought not to be rejected as impracticable until it has been fairly tried. Although the foreigners of different nations resident in China are accustomed to act in concert, it would not have been prudent to allow any competitor to outbid the English Government in liberality and courtesy. The American merchants share with their English neighbours a rooted distrust of all Chinese authorities; but the new American Minister has been directed to regulate his conduct in accordance with the doctrines of Mr. BURLINGAME.

The same question was involved in the decision of the Government on Sir RUTHERFORD ALCOCK's Treaty. It has been considered desirable to substitute a voluntary compact for the compulsory, though moderate, arrangement which was dictated by Lord ELGIN after the advance of the allied armies to Pekin. It is difficult to judge whether the feeling attributed to the Chinese Government really exists in a country where European points of honour are not generally appreciated. The China merchants have no scruple about enforcing the provisions of the Treaty of Tien-tsin; and, considering that almost all European treaties have resulted from wars, it would seem that the sentimental advantages of the new Convention are not of great importance. Lord CLARENDRON further adopts from Sir RUTHERFORD ALCOCK the argument that the new treaty is preferable, because it fixes no definite period for revision. The original treaty was to be revised on the demand of either party at the end of ten years, which expired before

the commencement of the late negotiations. As the consent of both Governments was necessary, not to the form of revision, but to the introduction of any change in the stipulations, the provision might easily have become inoperative. If the present treaty should be found injurious to English interests the Chinese Government would probably object to revision on the ground that it was not contemplated by the framers of the agreement. In dealings with half-civilized States there is sometimes a certain advantage in the exercise of generosity and justice; but those who are most familiar with Chinese modes of thought assert that concessions are objectionable in themselves, because they are invariably attributed to deference and fear. The Imperial Government will scarcely give Lord CLARENDON credit for the delicacy which is shown in the substitution of amicable diplomacy for coercion. It is probably as well understood in China as in England that, as in the majority of serious negotiations, the contingent use of force is in the background. If the Mandarins were at liberty to exercise their own discretion, every foreign trader would be driven out of the country in six months; and the French missionaries would share the fate of the English merchants. While Lord CLARENDON, perhaps not unwisely, carefully studies the actual or possible susceptibility of the Chinese, their EMPEROR deliberately declines to admit a son of the Queen of ENGLAND to the honour of an audience.

The principal objection urged against the treaty is founded on the provision by which the import duties are increased from 5 per cent. to $7\frac{1}{2}$ per cent.; and at first sight it appears that the change must be highly injurious to traders. Sir RUTHERFORD ALCOCK and Lord CLARENDON answer that the addition of 50 per cent. to the duties is only ostensible, because the new duty paid at the ports is to cover all inland charges in the nine Treaty Provinces. It is agreed that foreign goods, whether in foreign or native possession, shall carry with them their own permit, as it will be known that they must have been taxed to the full legal amount on passing the maritime Custom House. The merchants reply that the inland duties will nevertheless be demanded, especially as the provinces, raising a revenue of their own, and providing for their own expenditure, have no direct connexion with the Imperial Treasury. Sir RUTHERFORD ALCOCK argues that the Government of Pekin will be induced, by its increased interest in the Customs' receipts, to discourage any provincial extortion which might diminish the amount of foreign trade; but hitherto it has not been found that the Government is actively favourable to commerce; and the merchants, who will have to pay the dues, both in England and China, disbelieve in the alleged compensation for the increased duty. There will be a kind of security against extortion in the matter of export duties, because the receipts of internal charges are to be accepted as proofs that the merchant is entitled to a corresponding reduction of the tax at the port of shipment; but, on the whole, it is evident that the change has been made at the instance of the Chinese Government, and there is a strong presumption that it is not advantageous to the English merchant. In his written reply to the deputation, Lord CLARENDON contended at great length that the traders had exaggerated the exemptions to which they were entitled under the Treaty of Tien-tsin. It was not, he said, the custom of Governments concluding commercial treaties to interfere with the internal taxation of goods which might be admitted under specified duties. The French Government, although it has agreed to impose a limited rate of duties on the importation of English hardware or cotton fabrics, has a right to levy afterwards on the same goods any tax which it may think expedient, provided that no difference is made between native and foreign products. On the question of international law Lord CLARENDON is not likely to be mistaken; but Mr. COBDEN's Treaty would scarcely have been concluded if it had been thought possible that any excise duty could be imposed on English imports after they had passed the Custom House. In their dealings with the Chinese Government English merchants will derive little satisfaction from the alleged prohibition of differential duties on their goods. As no similar articles are produced in China, any internal taxes which may be imposed, however oppressive, can scarcely be differential. It is perhaps right that a Foreign Minister should point out to his countrymen all the disadvantages to which they may be exposed in a controversy with a foreign Government, but the function of supplying arguments which will be gladly adopted by the Chinese Government is invidious and probably painful. In the discharge of the same ungracious duty, Lord CLARENDON defends the stipulation by which a Chinese Consul is to be allowed to reside at Hong Kong. It might perhaps be difficult

to raise a theoretical objection to a measure which seems to be required for the establishment of equality and reciprocity; but there is no provision of the treaty more thoroughly obnoxious to those who will be affected by the arrangement. It seems that Lord CLARENDON himself had, in a despatch to Sir R. ALCOCK, expressed a doubt of the expediency of establishing the Consulate, and the passage is appropriately quoted in a memorial from certain inhabitants of Hong Kong to Lord GRANVILLE against the proposed concession. The memorialists disclaim any intention of speaking with needless disrespect of the Chinese Government and its officers; but they are not Foreign Ministers, and they know something of China. In their opinion the Consul will rule the Chinese population of Hong Kong in the mixed character of a tyrant and a spy; and although offenders against his authority within the limits of the settlement will be protected, the Chinese authorities in the mainland will avenge disobedience to his orders on their wives and families. The Hong Kong remonstrance is supported by the precedent of the Portuguese settlement at Macao, where the presence of Chinese functionaries caused constant annoyance and disturbance. At last the local Government, taking advantage of the English war with China, dismissed the Chinese officers, and since that time the condition of Macao has been peaceful and prosperous. At present the weight of authority is opposed to the expediency of the new treaty; but there may perhaps be political reasons for not withholding the ratification. The determination of the English Government to act, even against the wish of its own subjects, in the spirit of Lord CLARENDON's letter to Mr. BURLINGAME, will possibly produce a partial return from the Chinese Government, and it will satisfy the national conscience if it is hereafter found necessary to adopt vigorous measures.

THE IRISH ELECTIONS.

MR. OSBORNE has represented many constituencies, and has engaged in some disorderly contests; but even at Nottingham it is not the custom to use firearms or to burn houses in the exercise of electoral rights. It is much to the credit of the more respectable inhabitants of Waterford that they should have returned Mr. OSBORNE in defiance of the threats and violence of the mob; and perhaps the result of the election may show that at least in some parts of Ireland anarchy and murder are not really or not universally popular. It may have since occurred to Mr. OSBORNE that it was not worth while to follow the example of other recent Irish candidates by expressing sympathy with the Fenian convicts. The rebellious faction was not conciliated by his professions; and his supporters, whatever may be their ostensible opinions, have probably no desire for an amnesty. The House of Commons, oppressed with the unbroken gravity of a second Session without a joke, will welcome the return of Mr. OSBORNE to his accustomed place; and if he wishes to produce a laugh without any expenditure of humour, he has only to declare, with a serious face, his unfeigned belief in the doctrines which he thought it expedient to hold during his canvass. The middle classes of Waterford have made the only protest in their power against existing agitation by electing a member who is exempt from any suspicion of revolutionary tendencies. Mr. SMITH and his riotous rabble have supplied additional proof of the necessity of re-establishing order and of disowning seditious insolence. The weakness or misconduct of the local authorities accounts in some degree for the outrages which were perpetrated with perfect immunity; but the condition of Waterford during the last week was only an exaggeration of the ordinary state of an Irish county or borough during an election. Parliament has the power, if it has the will, largely to diminish the risk of disorder by summarily abolishing the system of nominations in Ireland. The pretence that it is necessary to wait for the Report of the Committee on Elections, or to include the entire kingdom in the same act of legislation, would be utterly frivolous; but as long as it is thought that violence may tend to the benefit of the dominant party it will not be severely checked. During last Session a Bill for increasing the number of polling places in Irish counties was rejected by a considerable majority only because the change would have afforded protection to voters against the assaults of the mob. The worst excesses perpetrated at Waterford would not have been prevented by the operation of the Ballot, as they were committed for purposes of vengeance, after the close of the election. Unless a constituency is to be converted into a secret society there will be always known supporters of the unpopular candidate, with bodies to be beaten and windows to be broken.

The Tipperary election was chiefly distinguished from the scandalous proceedings at Waterford by the fact that the mob was divided into two hostile bodies. The only principle at stake in the contest between a real and a sham Fenian seems to have been the threatened supremacy of the priests. The Roman Catholic clergy required their candidate to profess all the opinions which were thought likely to find favour with the rabble, but they naturally resented the attempt of thorough-going Fenians to dispense with the accustomed clerical guidance. The KICKHAM mob accused the leaders of the HERON mob of having been bought by the Government; and the HERON mob, to do them justice, fought for their priests against their savage assailants. The peaceable part of the constituency took no part in the election, partly perhaps from a prudent dislike of danger, and probably in a great degree because neither candidate had any claim on the votes of moderate or loyal electors. KICKHAM is a Fenian conspirator who was liberated a year ago on the allegation that his life would be endangered by prolonged imprisonment. Since his release he has employed himself in propagating disaffection as a writer for a seditious newspaper, and his nomination was avowedly intended as a defiance of the English Government. Mr. HERON, who is a scholar and a lawyer, when he first entered on his canvass of Tipperary, took credit for his recent success in persuading a jury to acquit a prisoner charged with a deliberate murder. As Mr. HERON well knew, the electors whom he addressed would only sympathize with the alleged murderer on the assumption, not that he was innocent, but that he was guilty. It may become the duty of an advocate to assist a criminal in escaping from the consequences of his guilt; but, when the trial is over, he is no longer excusable if he affords non-professional countenance to crime. About the same time Mr. HERON at an electoral meeting proposed cheers for the Fenian convicts, who had done nothing to deserve his approval except by engaging in a ruinous and hopeless rebellion. It is hardly necessary to add that Mr. HERON undertook to support the strongest measures which could be proposed for the purpose of transferring from the landlord to the occupier the freehold of the soil. If it had been necessary for a loyal subject to give a vote for either candidate, he would perhaps, notwithstanding the justice of Mr. DISRAELI's epigram, have preferred the candidate who, in spite of his own professions, may probably sympathize with the cause of order. If KICKHAM has not received a pardon under the Great Seal, he is not legally eligible, and perhaps, if he had been elected, he would not have attempted to take his seat. As it was not absolutely necessary to vote, it is not surprising that the respectable electors declined to interfere in the contest of the priests with the newer race of demagogues. The Roman Catholic clergy are so far allied with the constitutional authorities that they are, with few exceptions, opposed to rebellion; but in the difficult questions relating to the land they are the most reckless advocates of the extreme claims of the occupiers, and they will be unanimous in their resistance to all schemes for common education.

It is useless to lament over the miserable spectacle of Irish elections. No imagination can conceive a system which seems more utterly indefensible; but the results are not quite so bad as the process by which they are attained. The majority of Irish members probably detest and despise the opinions which they are obliged to profess on the hustings; and, sharing but faintly in the prejudices which they flatter in their constituents, they form a body with which it is in some way possible to deal. Those among them who possess property cannot really wish to be robbed, and the compulsory deference which they exhibit during elections to the priests must in secret be bitterly resented. Mr. GREVILLE NUGENT, though he promised to be guided by his priestly supporters, will not in practical matters be uninfluenced by the motives which operate on a gentleman, a layman, and, as it happens, a Protestant. Mr. OSBORNE is in all his habits and associations and tendencies an Englishman, not without some Conservative leanings; and even Mr. HERON may be willing to assist in useful legislation where there is no immediate temptation to ask for cheers for convicted rebels. Irish members must be elected if Ireland is to be united with England and Scotland on equal terms, and fortunately there are some Irish members who contribute to the efficiency of Parliament. It seems not beyond the reach of administrative vigour to repress force by superior force when the freedom of election is, as in Tipperary and at Waterford, openly attacked; but perhaps Mr. GLADSTONE, who lately intimated that agrarian murders were an irregular protest against an unpopular law, may consider that election riots are a natural expression of dislike to an English Constitution, or to Protestant ascendancy. If the Land question is at any time

settled, a large part of the population will have no sufficient reason for practising intimidation. It has never been understood in Ireland that the vote of an elector can be his own as long as it is wanted by a landlord, a priest, or by a seditious agitator. The power of the landlords is nearly extinct, and the supremacy of their clerical successors is tottering. Perhaps the turn of the electors themselves may arrive in time.

It would be an idle amusement to search for alleviations of the present system, or to cultivate vague hopes of future improvement, if there were any admissible alternative. Ireland must be governed under constitutional forms, or it must be left to itself. There are probably many political theorists who are inclined to tolerate separation, but no statesman would venture to incur so great a risk, not only to the Empire, but to Ireland itself. A Parliament or Convention elected by the majority of the Irish people would at once seize upon the property of the landowners, and in the North disunion would inevitably be followed by civil war. Even in Tipperary there are two parties, imperfectly restrained by armed force from violence against one another; and the conflict between the priests and the more revolutionary agitators is likely, in Ireland as on the Continent, rather to increase than to diminish in intensity. If it is contended that the gratification of national aspirations would remove many of the existing causes of agitation, it is impossible to disprove a conjecture on which it would be wholly unjustifiable to act. The English party in Ireland is not inconsiderable in numbers and importance, and it is eminently entitled to Imperial sympathy and protection. When Hungary was separated from Austria, when Italy was emancipated from despotic or alien rule, there was no question of any but political changes. The withdrawal of English authority from Ireland would involve the most sweeping of economical and social revolutions, and there is no reason to suppose that the evils of the change would be compensated by any increase in prosperity. It may be said that it is unnecessary to denounce a policy which has not been propounded by any political party; but there can be no doubt that, when a Land Bill is passed, agitators will begin to clamour for the repeal of the Union; and it may be advantageous to excuse or to explain the inevitable nature of the difficulties of governing Ireland. It is wonderful that candidates of respectable position can be found to face the brutality of hostile mobs, without even the satisfaction of avowing any intelligible principles of their own; but the attractions of the House of Commons are irresistible, and it is apparently pleasanter to sit for Waterford than not to have a seat at all. Mr. OSBORNE has been compelled to swallow some unpalatable pledges, but in Parliament he will represent his own opinions as much as those of his constituents.

THE APPELLATE JURISDICTION BILL.

THE Bill which the LORD CHANCELLOR has promised for the purpose of regulating the appellate jurisdiction of all the Courts will probably, in the main, follow the recommendations of the Judicature Commission. In principle, as we have already said, this part of the scheme is unexceptionable, though there are difficulties in detail which are not satisfactorily met by the Report, and are seriously aggravated by the modification which the CHANCELLOR has suggested.

It must be taken as part of the settled policy of the Government that the distinction which has existed for centuries between Common Law and Equity shall, in theory if not in practice, be obliterated, and this grand reform can have no warmer advocates than ourselves. So far as the Appeal Court is concerned, the method by which it is proposed to effect the fusion of the two divisions of English law is undeniably sound. It is intended to combine in one Supreme Court of Appeal, Judges who are conversant with the technical details of Common Law procedure, and Judges who are familiar with the larger and more liberal code of Equity jurisprudence. There remains, however, the question whether the new Court will be thoroughly competent to deal with all the questions which will be brought before it, and will give satisfaction alike to a plaintiff who seeks to recover the price of a horse and to a plaintiff who appeals to the more refined considerations of Equity. In the constitution of such a combined Court as it is proposed to establish there are many obstacles to be surmounted which take their rise in the essential distinctions between Common Law and Equity jurisprudence. The CHANCELLOR, in explaining the nature of his proposed measure, dwelt at some length on the historical origin and practical character of these distinctions. The Common Law Courts created their system in those mediæval times when form and technicality were thought more important than

substantial justice. The rights which commonly came into conflict in those days were of that simple character which belongs to an early stage of civilization, and a limited number of stereotyped remedies were thought sufficient, and generally were sufficient, to meet every case. By degrees more complicated relations arose; the tenure of land was embarrassed by the creation of trusts, the growth of commerce developed new and intricate considerations, and in a multitude of ways the increasing intelligence and activity of an enlarged civilization was continually giving birth to new rights with which the old formulas of the Common Law were unable to deal. In an unfortunate spirit the Judges declined to recognise any rights which their old-established remedies were incapable of reaching, and because they had no machinery with which to give redress in such cases they left undoubted rights without protection; and not only that, but actually enforced against rightful owners the demands of suitors who had no moral or legal claim whatever except that their case happened to fall within the recognised class of remedies, while that of their opponents was something unknown to black-letter law. For example, a man might be the holder of an estate under the most solemn pledge to apply the proceeds for the benefit of another. The Law Courts gave to such a fiduciary owner all the rights of an absolute proprietor, and excluded from all benefit the person on whose behalf the property was held.

A system such as this only failed to become intolerably oppressive through the intervention of the early Chancellors. They recognised all the rights which the law ignored, and framed a system of jurisprudence which is now known as Equity, the distinctive feature of which has always been to accommodate the remedy to the right, instead of restricting the right within the limits of certain antiquated modes of obtaining redress. However novel and special a right might be, the elasticity of Equity procedure sufficed to supply redress; and it is equally true of the early and modern forms of legal and equitable jurisprudence to say that the one is a system of special remedies applied to all cases which may happen to fall within them, without regard to ulterior rights, while the other is a system which recognises all rights whatsoever, and moulds its remedies to fit every particular case. Add to this that it has always been a fundamental doctrine of Equity, not to interfere unnecessarily when adequate relief could be had at law, and we have an account of the relations between these two departments of law amply sufficient to render intelligible what we have to say on the subject of the promised Bill.

It will be seen at once that Judges who are transferred from the administration of Law to that of Equity, or *vice versa*, will necessarily feel much embarrassment until an enlarged experience, guided by the special knowledge of the colleagues at their side, shall have gradually familiarized them with their new duties. This is a difficulty which must be faced, and which is worth facing, for the sake of harmonizing our discordant Courts; but it will be the work of many years to make a composite Court efficient, and no one can say when the desired end will be attained, unless every possible facility is afforded for the purpose. The CHANCELLOR mentioned the fact that about half of his predecessors, from Lord ERSKINE downwards, have been Common Law men, coming quite fresh to the administration of Equity; but he did not mention the lamentable weakness which Lord ERSKINE and other extemporized Equity Judges have displayed, especially in the earlier periods of their apprenticeship. Something of the same kind would happen if an Equity lawyer were set to preside single-handed over a Common Law inquiry, though the embarrassments in the two cases would be of different kinds. The difficulties of the Equity lawyer would most frequently arise from want of familiarity with the technical limits and conditions of Common Law remedies. The principles of the law he would in a vague sort of way be conversant with, because Equity is a system supplemental only to the Common Law, and deriving its authority solely from the absence of a legal remedy, or its inconsistency with rights which the Court of Chancery habitually acknowledges. This general knowledge would, however, avail him little in deciding such questions as the strict legality of a distress, or the appropriateness of the remedy pursued in an intricate dispute between landlord and tenant. The Common Lawyer, when translated, would be in even worse plight. He would, it is true, have little difficulty in applying the untechnical and elastic remedies of Equity to any case in which he had a clear conception of the real rights of the parties; but these rights would be found to depend on broad principles wholly strange to Common Law jurisprudence, with which the unaccustomed

mind of the Judge would have to grow familiar before he could be trusted to decide in the first instance—to say nothing of reviewing the decisions of subordinate Judges, the experience of whose lives had ingrained into them the doctrines on which questions of Equity turn.

To make a composite Appeal Court work even tolerably, and still more to enable it to grow into a harmonious body, carrying the weight which ought to attach to an appellate tribunal, it is very important that in every division of the Court there should be an adequate admixture of Common Law and Equity Judges. Only in this way can they really learn all that will have to be learned to make them thoroughly efficient and respected. The Commissioners proposed a Court of nine members, besides the Chancellor who could only sit occasionally, and contemplated as the ordinary rule that it should sit in three divisions. The appeals to the existing Court of Appeal in Equity are, we think, more—certainly not less—numerous than those to the Court of Exchequer, and it is most important (especially when the peculiar character of the two systems is borne in mind) that the number of Equity Judges should not be less than that of Common Law Judges. The report proposed (besides the Lord Chancellor, who might belong to either branch of the profession) three permanent Equity Judges, three permanent Common Law Judges, and three Judges temporarily appointed from year to year from among the Judges of first instance. On the face of it, this seemed a reasonable arrangement, but a purely accidental distinction made it very much the reverse. The Common Law Judges sit in Courts of four or five, and are intended hereafter to sit in Courts of three. The four Equity Judges of first instance sit alone, and are only just able to keep down their work. The consequence is, that the three temporary Judges must always be taken from the Common Law side, unless the number of Vice-Chancellors were increased, which appears not to be contemplated. The result would be that the Appeal Court, as proposed by the Commission, would always contain (besides the Chancellor) three Equity and six Common Law Judges—a disproportion fatal to its success and its reputation, in whichever direction it might have occurred, and doubly fatal in reducing the number of Judges accustomed to deal with the more comprehensive jurisdiction of the two.

It is not probable that this arrangement was exactly what the Commissioners desired, but having in stock more than twice as many Common Law Judges as they had of the Equity description, they seem to have cut their coat according to their cloth, and imperilled the success of a great project of reform for the sake of preventing the temporary waste of a few redundant salaries. This struck us from the first as a lamentable concession to the spirit of parsimony which now prevails, and which we humbly conceive to be the worst possible economy; and we had hoped that the CHANCELLOR, in framing his Bill, would do something to cure the defect. To the surprise of every one the only alteration proposed is to cut away one of the Equity Judges and leave only two against their six brethren of the Common Law. We can scarcely doubt that the energetic protest of Lord CAIRNS, on the eve of his departure from England, will be as effective in preventing this aggravation of the mischief which lurks in the scheme as his continued presence in the House undoubtedly would have been; but even if the Government should return to the proposal of the Report, they can scarcely expect that a tribunal of which two-thirds will be unfamiliar with the larger half of their duties will inspire that respect which it is for every reason important that an Appeal Court should command. The other part of the scheme, by which the office of Master of the Rolls is henceforth to confer a seat in the Court of Appeal, will get rid of an anomaly in the precedence of the Judges, but it will leave the constitution of the Court to depend upon an accident, instead of entrusting the selection of its first members to the deliberate choice of the Government and its advisers. The Cabinet are, however, so completely masters of the situation that they can no doubt carry, without difficulty or delay, a Bill of vital importance on which there has been, and probably will be, no effective discussion, on which the judgment of the profession at large has not been sought or pronounced, and which is generally regarded by lawyers as an admirable and enlightened sketch unfortunately marred by crude and unpractical details.

IMPERIALISTS IN OPPOSITION.

THE Parliamentary events of the last fortnight have done much to strengthen the position of the French Ministry. M. OLLIVIER has at last brought himself to speak out. After Count DARU's remarkable declaration, it was essential that he

should do so, unless he was prepared to play a confessedly second part in the Cabinet which he had himself got together. The interpellation on official candidates gave him the opportunity he might have hesitated to make for himself. It was a point upon which it was impossible for a Minister to remain silent, for the simple reason that silence could only have been construed in one way. If M. OLLIVIER had not been prepared to surrender this right, all his previous professions of Liberalism would have been so much empty sound. Under the electoral system which has been in force during the reign of NAPOLEON III. France has never been certainly represented, except in those rare instances when the victory fell to an Opposition candidate. Often enough, no doubt, the votes of the electors were honestly given to the man who was loudest in his proclamations of loyalty. For some years, at all events, the Empire was on the whole a popular institution, and in many places the political result of a perfectly free election might not have been greatly different from that actually attained. But all this was only guess-work. What was certain was that the complexion of the candidates returned could for the most part afford no index to the real wishes of the constituencies. The administrative machine was far too perfect to leave the issue of an election a matter of doubt or speculation. The Empire never showed itself more paternal than in the matter of the electors' votes. M. PREVOST-PARADOL has told a story of an ingenious peasant who, not content with dropping the Government ticket into the urn himself, thought it a peculiarly good stroke of business to persuade the man against whom he had a grudge to do the same with the Opposition ticket. He only knew them as the "good" and "bad" tickets—as the passports, that is, to the favour or the ill-will of the local officials. The process of election had thus been deprived of all political significance. In the towns a republican or an intellectual opposition might here and there be successful, but in the country the elector gave the government of his vote, as of his substance, because the law and the Mayor prescribed it.

It is scarcely possible that fifty-six deputies of the Right should have thought that this system could be maintained in combination with Parliamentary government. Under the Empire it was intelligible, if not defensible. The EMPEROR was the earthly Providence whose decrees were obeyed by the good, and vainly resisted by the bad. There was no pretence that the points in dispute between him and the Opposition were in any sense open questions. They were held to be questions on which the nation had given its final judgment. If that judgment was allowed to be challenged without bringing immediate punishment on the challenger, it was only because the EMPEROR was merciful as well as strong, and his forbearance in this respect made it all the more incumbent on him to prevent well-meaning but ignorant people from being misled by his clemency. So long as the tares were allowed to raise their heads in the electoral corn-field it was necessary to ticket the good grain. But how are we to account for the desire shown by M. GRANIER DE CASSAGNAC and his friends to keep alive a system as to which they cannot now feel certain that it will operate for their benefit? The EMPEROR is no longer, as formerly, a candidate at every election. The Ministry for the time being is understood to represent the majority in the Corps Législatif, and that majority may be with the Right to-day and with the Left to-morrow. Even if we assume that the officials throughout the country would have no objection to doing their best to return an Imperialist this year and a Republican next year, it is quite certain that neither party would feel comfortable at having to depend for success on such extremely elastic consciences. A continuance, therefore, of official candidatures would necessarily be accompanied by what is known in the United States as the "division of the spoils." Each successive change of Ministry would involve a corresponding change of the subordinate officials throughout the country. The first object of a new Cabinet would be to ensure that every post which could possibly be used for electioneering purposes should be held by an adherent whose zealous co-operation would be secured by the knowledge that his tenure of office depended on his employers getting a majority.

It is inconceivable that this system should in any way promote the interests of the ultra-Imperialists in the Corps Législatif. They must know that, if M. OLLIVIER remains in power, at all events with his present colleagues, the hand of the Government at the next election will be raised, if raised at all, against the re-election of the very fifty-six deputies who voted the other day for the preservation of Government intervention, and that the changes in the composition of the Executive which would precede and facilitate any such exercise of strength would leave their chances as independent candidates very much worse than any now are. The only

explanation of the inconsistency is that the members of the Right have no faith in the continuance of that Parliamentary system which has reduced them to the position of a minority. Like the rest of the world they began by distrusting the sincerity of the EMPEROR's intentions. They assured themselves that he was only playing with Constitutionalism, and that he would soon allow Ministerial responsibility, the government of the country by itself, and all the other delusions of "Parliamentarism," to sink back into the obscurity from which they had only been evoked to make their futility known to all men. After all, the only difference between them and the rest of us is, that they have clung to the belief a little longer; and when the interests they have at stake are taken into account, it must be admitted that they have some excuse for their persistence. Since last week, however, it has become pretty clear that, whatever the EMPEROR may have once intended, he has now included the restoration of constitutional government in his catalogue of accomplished facts. The rumours of his being displeased with M. OLLIVIER's disavowal of official candidatures which were ripe in Paris for a day or two were but the expression of a natural scepticism. It seemed impossible that the EMPEROR could have made up his mind to go as far as the Cabinet had tried to take him. But the prevalence of these reports was in itself a testimony to the critical character of the situation. People argued that the EMPEROR could not remain silent, because silence would be equivalent to consent. It is equally open to us to deduce from his silence the conclusion that he has at last consented. If this is the true account, it becomes a curious inquiry what will become of the Imperialist minority. It would be doing them an injustice to suppose that they can long continue in opposition, since to do so would be to contradict their cardinal maxim—Men not Measures. Like the old Scotch bookseller in *Alton Locke*, they have always been "naked in the matter of 'formulae,'" and they have consistently gloried in their nakedness. Their devotion has been given to NAPOLEON III., not to any imaginary Napoleonic principle; and now that their idol has withdrawn himself into the dim cloudland of constitutional sovereignty, there is certainly no reason why they should worship the discarded relics of the power of which he has chosen to divest himself. They may rather be expected to adapt themselves as best they can to the necessities of their Parliamentary future, and either to form themselves into a reactionary army of observation, or to subordinate political considerations to that devotion to local business which is likely, when the elections are really free, to find favour in the eyes of a large number of rural constituencies. If there are any amongst them who have a real faith in that Imperialist socialism of which M. CLÉMENT DUVERNOIS was for a time the fugleman, they may perhaps try to form some startling combination with the working-class democracy; but in their endeavours after such a union they will probably find their past relations with NAPOLEON III. an obstacle the conquest of which will surpass their utmost ingenuity.

THE RECEPTION OF THE LAND BILL.

THE Irish Land Bill has been received in a manner quite as favourable as could have been expected. In England and Scotland there is apparently no opposition to it of any moment, and the Conservatives as a party seem inclined to acquiesce in it. This absence of party hostility is in a great measure to be ascribed to the silence which the Ministry prudently maintained last Session when pressed to disclose how they would deal with the Irish Land before they had secured the passing of the Irish Church Bill. There can be no doubt that, if the principles of the measure now before Parliament had been submitted to the jealous and feverish criticism of the Lords last summer, the Opposition would have raised a cry that all property was endangered by so subversive and spoliatory a scheme. The men who would thus have been pledged to oppose it with all their force are now free to take as mild a view of it as they please, and they have learnt much and undergone much since the days when the fate of the Irish Church Bill was doubtful. In the first place, the memory of the mode in which that Bill was carried must make Conservative peers feel that the House of Lords cannot assume again the position which last Session it seemed inclined to assume. It may alter a little, but it can scarcely reject, any Bill which meets with the general and deliberate approval of the constituencies. Then, again, the frightful state of Ireland and the lamentable anarchy that prevails there must make the friends of the Irish land-owners hesitate to reject a measure which may pacify the country, the rejection of which would certainly irritate the

country, and after the passing of which the Government have promised something shall be done to protect life and property if they are still endangered. But this is not all. The strength of the Irish Conservative party is in Ulster, and the farmers of Ulster approve of the Bill very strongly. It does all for them that they can wish. The Protestant middle class is all in favour of the Bill. The Irish of the other provinces seem indeed to suspect that the Bill must in some way be bad because the Irish of Ulster like it; and it has even been said that it is unfair that the existence of Ulster tenant-right should not be legalized where it does not exist. The priests are now so closely allied with the Government, in consequence of the antagonism they encounter from the Fenians, that it is not perhaps surprising that none of the numerous clerical friends of the tenant-farmer have come forward to find fault with the Bill. The extreme Nationalist party of course denounce this, as they would any measure that came from an English Parliament. But The O'DONOGHUE, who alone of the Irish Catholic and popular members seems to have some spirit and courage, has taken the opportunity to assure his countrymen that they may thoroughly trust the present Ministry and the present House of Commons, and that an Irishman would be mad, or very foolish, who strove to get the Bill rejected. Thus the opposition to the Bill has come to be confined to the criticism of details, and more especially to an attack on the clauses by which the small tenant-farmer is supposed to be guarded against eviction. The Government is said to have stopped short of what ought to have been granted to the tenant, and it is not difficult to foresee that the most serious question which the House of Commons will have to decide is, whether the securities against eviction devised by the Government are all that ought to be granted if the tenant is to have justice, or that must be granted if Ireland is to have peace.

The objections made to the clauses for compensating the tenant appear to have been made rather for the sake of starting a discussion than for that of getting to the bottom of a grave subject. The objectors do not seem to have a definite conception of the fault they impute or the remedy they propose. In Ireland it is hard perhaps for critics to object to the compensation clauses without really suggesting a Bill founded on a different principle. For they start with the assumption that somehow or other it is the business of the Government to see that no tenant shall be evicted. But in England there is no such assumption made, and the clauses are tested by their contents. It is said, for example, that a landlord will be tempted to evict poor tenants, because, as he will pay more for evicting poor men, he will wish to join small holdings to larger holdings, in order that he may pay on a lower scale for future evictions. If a landlord has two tenants, one with a holding under and the other over 10*l.*, he will be induced to evict the tenant of the lesser holding in order to join it to the larger. He will have to pay 28*l.*, or seven years the rent of the smaller holding, which we will suppose to be rented at 4*l.*; but then if he adds it to the larger holding, which we will suppose to be rented at 12*l.*, he will only have to pay five years' rent of the two, or 80*l.*, if he wants to get the two holdings into his own hands; whereas if he had left them in different hands, he would have had to pay 28*l.* again for the smaller holding and 60*l.* for the larger. We must say that there does not appear to us much force in the argument. The landlord is supposed to evict a man and pay 28*l.* down, in order that if he wants to make a second eviction he may pay 8*l.* less. It is obvious that, if interest is included, he must evict the tenant of the united holdings no less than four times in order merely to get his money back. We cannot believe that there are half-a-dozen landlords in Ireland who would do anything so foolish. It is putting the objection in a much more forcible way to say that the compensation clauses offer no security to the poor man, since what is theoretically high compensation for him to receive is nothing for a rich landlord to pay. The landlord wants the poor man's 4*l.* holding, and he pulls 28*l.* out of his pocket and gets it. We are here brought to the real question at issue. Is the Legislature to prevent evictions, or merely to make it against the pecuniary interest of the landlord to have resort to them? The theory of those who consider that the landlord would be tempted to evict small holders on account of the higher rate, suggests the curious consequence that the higher the rate is the greater must be the supposed desire of the landlord to evict. If tenants below 10*l.* received not seven but fourteen years' compensation, the landlord of a 4*l.* holding would, it is imagined, burn with an increased desire to pay the money, in order to unite this holding with another entitled to compensation on a lower scale; and thus he alone of all men

would long to pay more in proportion as he was asked for more. If this is denied, then there must be a point of pecuniary harm which would make the landlord reluctant to evict, and what is meant by the objection is merely that the Ministerial Bill fixes the figure too low. Minute objections, such as that the tenant ought to be allowed compensation for his tillage improvements, or that there should be no legal maximum, and that the amount to be paid should be left to the Court to decide, are scarcely worth discussing at present. They only introduce small variations in the amount of pecuniary harm which is relied on to deter the landlord from eviction. The first thing to decide is, whether the landlord may, if he pleases, and out of mere caprice, turn a man out of his holding on payment of a sum of money which most landlords can very easily afford to pay. It is this that the Irish object to. It is this that the Government insist on as an integral part of the necessary rights of a landlord. When once it is decided that the landlord shall be at liberty to evict as he pleases, subject to a penalty which it is hoped may generally deter him, it is only a matter of amount to calculate how high this penalty ought to be, regard being had to the fact that even landlords are sometimes right, and that tenants are sometimes wrong, and deserve to be evicted if eviction is permissible.

The easiest part of the Bill to attack is that which provides for advances from the State in order to enable tenants to buy the property of landlords willing to sell. In Ireland this part of the general scheme excites scarcely any attention or interest. There is no objection made, of course, to the general principle of using the British taxpayer as a means of making good bargains for the Irish, for that seems right and natural enough. But the Irish generally do not want to be able to buy their holdings. They want to go on holding them on payment of a fixed rent. It will only be when they see that they cannot get what they want that they will discuss whether the clauses favouring purchase are likely to be of any good. For the moment we may omit the objection that the credit of the State ought not to be used to further local schemes, and shall only consider what would be the effect if this part of the Bill became law. Mr. LONGFIELD, in his essay published by the Cobden Club, stated that in his opinion it would not answer for a poor man to be a peasant proprietor. He did not speak only of Ireland; he spoke generally. He thought a poor man with land must always be able to be something better with the purchase-money than he could do with the soil if he retained it. A reader of the rest of the volume in which Mr. LONGFIELD'S essay appeared will see how widely most of the other writers disagreed with him on this head. But he also thought the Irishman specially unfit to be a peasant proprietor, and his great experience of Irishmen may make him a better guide than most men as to this. If it is a bad bargain for any one, and a particularly bad bargain for an Irishman, to buy a little bit of land and cultivate it, is it probable that Irish tenants will buy estates with the help of the State? We may be quite sure that self-interest will teach the Irish, as it will teach all the world, what to do. They will be guided in the long run by finding that it does or does not pay to hold land. But under some circumstances it might answer to a tenant to take advantage of Mr. BRIGHT'S proposal. It must be remembered that the purchaser is to pay the whole purchase-money, and that he can then get back three-fourths, repayable by an annuity during twenty-two years. Thus he at once finds one quarter of the money, and gives a very convincing proof that he is in earnest. The Irish largely hoard their money, and a poor tenant who drew out the quarter of the purchase-money of his holding and staked it upon his being able by great personal exertion to make the land produce enough to pay the Government annuity must be a man of some energy and determination, and would probably display some of the qualities which the friends of that system say are generally found in peasant proprietors. It is obvious that he must have already saved money, or inherited money saved, out of the produce of the holding. Let us suppose that he pays 20*l.* a year rent, and has for fifteen years put by 10*l.* a year. His holding is to be sold, and he pays 450*l.* for it. He finds 112*l.* 10*s.* of this, and the State lends him 337*l.* 10*s.* at 6*1/2* per cent. interest, about 22*l.* a year. He loses 3*l.*, which he has hitherto received from the savings' bank or other bank of deposit, and he thus pays or loses 25*l.* a year, instead of paying 20*l.* a year rent. Henceforth, if he goes on just as before, he will save only 5*l.* a year instead of 10*l.*; but then he will have that inducement to increased exertion which proprietorship gives, and he may learn that the best use he can possibly make of the 5*l.* he formerly saved is to put it into the ground in the shape of manure. Among the greatest advantages of Mr. BRIGHT'S

scheme would perhaps be that it would tend to bring out the money that is now hoarded, and that it would induce the cultivator to restore something to the soil. If the tenant had to borrow the money at a high rate of interest he would indeed run a great danger, and he might strive to get all he could out of the land in order not to be sold up. But the men who lent him the money would run a still greater risk, and the money would not be lent practically unless experience showed that it might be lent safely, which it could only be if the tenant was able to pay his way easily, and did full justice to the soil. In cases where the scheme was tried, it would, we should imagine, be tried under circumstances such as to promise success; and where circumstances did not promise success, the scheme would not be tried. Nor, if the purchasing tenants were, except in rare instances, prudent, energetic men, able to pay a fourth of the purchase-money out of savings, would the State run any real risk, or be likely to incur any odium by having recourse to legal remedies when necessary. The real objections to the scheme which may be urged are probably of a different kind. They are such objections as that the credit of the State would be improperly used for such a purpose, and that an unfair pressure might be put on landlords to sell, or to take the offer of the tenant if a sale was contemplated. But there will be plenty of time to discuss these objections hereafter, and meanwhile, as we have said, few people in England, and still fewer in Ireland, seem to care about this part of the Bill.

DEPUTATIONS TO THE EXCHEQUER.

IT must be a great pleasure to Mr. LOWE to receive deputations, for their requests or their arguments always admit of a rebuff. Sometimes, like the Epping Forest deputation, they expose not only themselves but more important personages to a telling sarcasm; and on rare occasions it becomes possible, in answering their applications, to touch on the weaknesses and delinquencies of entire nations. Mr. GLADSTONE had shown his customary sympathy with popular demands by expressing his wish that the forest rights of the Crown might furnish the means of preserving the open spaces of the forest without interfering with the claims either of the lords of the manors or of the commoners. In other words, he desired that enclosures should be at the same time permitted and prevented through the exercise of certain alleged powers which he had excusably not taken the trouble to investigate. The answer was, as Mr. LOWE truly said, intended to please all parties, which is not the ordinary purpose of his own official answers. It is naturally thought strange that, when a Prime Minister desires to afford general satisfaction, his Chancellor of the Exchequer, not content with abstaining from a similar course, should expose to strangers the harmless artifice of his chief. Mr. LOWE, who seldom gushes out with vague benevolence, had perhaps taken the trouble to ascertain that, as the SOLICITOR-GENERAL afterwards explained, the Crown has no power to object to enclosures as long as they are made passable by bears and wolves. If he would but have condescended to indulge in a little oily circumlocution he might perhaps have saved himself and his colleagues the trouble of a discussion, and the inconvenience of a pledge which it may be difficult to redeem. It is now the custom for aggrieved members to bring Mr. LOWE's bitter pills before the House of Commons, where Mr. GLADSTONE has formally to enclose them in a suitable covering of currant jelly. The standing question whether the PRIME MINISTER agrees in the last unpopular doctrine proclaimed by the CHANCELLOR of the EXCHEQUER can only be answered in the affirmative, because members of the Cabinet are always supposed to hold the same opinions; but there is no harm in blunting the point of an epigram, or in explaining that a rule may be evaded by any number of exceptions. There is also a well-known convenience in being backed by a stern and impracticable partner who, as in Mr. DICKENS's story, always thwarts the generous intentions of the principal member of the firm. Mr. GLADSTONE receives all the credit of occasional concessions, while Mr. LOWE is willing to bear the responsibility of obdurate refusals.

It is for the benefit of the public that the keeper of the public purse should not be a respecter of persons; and the public service would sustain a great loss if a determined and conscientious Finance Minister were, by carelessness of private feelings, to accumulate against himself an amount of irritation which might seriously affect his influence and his means of utility. The brewers, who are the latest of his victims, form a powerful body, and in their remonstrance against the Licence-duty to which they are specially subjected it is not certain that they had

the worse cause to defend, although they were easily defeated by Mr. LOWE in the verbal controversy. Mr. ARTHUR PRYOR, who argued on behalf of the brewers, apparently knows little of political economy, for he objected to the Licence-duty as a violation of the principles of Free-trade, with which it has nothing to do. He was also inconsistent in complaining of the exemption of private persons brewing at home, for when Mr. GLADSTONE, with a characteristic love of uniformity, proposed to tax private brewers, the representatives of the trade voluntarily disclaimed the necessity of protection against domestic competition. But if Mr. PRYOR has but a confused notion of the meaning of Free-trade, there can be no doubt that, as a member of the great firm of TRUMAN, HANBURY, and BUXTON, he thoroughly understands beer. Mr. LOWE, with a laudable but too exclusive faith in the general maxims of political economy, affirmed that a tax upon producers must necessarily be paid by consumers. The Licence-tax was imposed as an equivalent for the Hop-duty, which was simultaneously abolished; and Mr. GLADSTONE's calculations have been justified by the receipt of a revenue slightly exceeding the average amount of the duty. It may seem at first sight that an addition of 400,000*l.* to the tax on the materials of beer, in the form either of duty or of licence, to the cost of brewing would in the natural course of trade be charged to the ultimate purchaser; and the inference would be sound if the consumption of beer were not enormously great, and if the portions in which it is sold were not so small and so cheap. 400,000*l.*, although the sum may be large, is not equal to a farthing in the pint on the retail price of beer. If the tax were repealed, neither the publicans nor the brewers would reduce the price; and consequently the whole amount would remain in the pockets of the brewers. It follows that they are justified in saying that they pay the tax, although they might perhaps have submitted to the burden in silence if the price of hops had not risen, or if it had fallen on the removal of the Excise and Customs duty. The reason of the increase in price is not explained, except by Mr. PRYOR's remarkable theory that the hop-growers are now enabled to hold their stocks, whereas in former times they were forced to sell them for the purpose of paying the duty. If the hypothesis were confirmed by facts, it might become a question whether the cheapness of commodities would not be promoted by the reimposition of all the indirect taxes which have been taken off within recent memory. There can be no doubt that the rise in the price of hops is due to natural causes, and that it would have been larger if the duty had not been abolished; but it is nevertheless true that both the Licence and the Hop duty have operated as taxes on the brewers, because the amount was not practically divisible among the retail consumers.

In discussing the blundering legislation which, according to a decision of the Court of Exchequer, will impose an unforeseen tax on small leases, Mr. LOWE probably discharged a necessary duty by resisting in the first instance any sacrifice of public revenue which might be legally levied; yet it is clear that leases executed in the interval between the discovery of the oversight by the Board of Inland Revenue and the delivery of judgment by the Court of Exchequer ought not to be subjected to a heavy penalty. In this case also Mr. GLADSTONE had to interfere in relaxation of the seeming harshness of a colleague whose firmness would be more fully appreciated if it were accompanied by a more visible readiness to take equitable considerations into account. The oddest of Mr. LOWE's ebullitions took place when he received a deputation from the Associated Chambers of Commerce on the subject of commercial negotiations with Spain and Portugal. The objection to the actual proposal was sound and conclusive, for the rate of duty on Peninsular wines ought to be determined by the Government and by Parliament without reference to the legislation of other countries; but Mr. LOWE, not content with affirming a principle which had been partially infringed by Mr. COBDEN and Mr. GLADSTONE, thought fit to make an entirely irrelevant attack on the nations with which the Chambers desired to cultivate friendly relations. Spain, he said, owed us seven millions, and Portugal four millions, and both States refused to pay. It was not with countries so indifferent to public faith that new conventions could be advantageously made, even if Treaties of Commerce were not, in Mr. LOWE's opinion, universally objectionable. There is a fallacy in the use of the pronoun of the first person by a Minister, who ought to speak in the name, not of any class of Englishmen, but of the State. Spain owes us, the Government and people of England, neither seven millions nor seven shillings, and the CHANCELLOR of the EXCHEQUER is not the representative of the English holders of Spanish bonds. It

is not even true that the debt has been repudiated, or that payment has been altogether withheld, although the Spanish debt has repeatedly been subjected to questionable manipulations. The attack on Portugal was still more wanton, as the dividends have been paid in full; and in both cases the attack on the credit and character of foreign nations was indiscreet and unjustifiable. If it were desirable to adjust the English and Spanish tariffs by treaty rather than by domestic legislation, the expediency of the measure would be entirely unaffected by the price of Spanish bonds, or by the degree of national integrity which it represents. It is now fully settled, if the opinion of statesmen on the question had ever wavered, that it is not the duty of a Government to enforce the claims of those among its subjects who have chosen to speculate in foreign loans. Two or three projects of treaty with the United States are even now pending, and a year or two ago a far more important negotiation was proceeding with reasonable hopes of success; yet the constituents of the Federal Government have in their several States defrauded their public creditors by a paper payment which was from the first dis honourable, as it is now shown to be illegal. The United States debt bears about the same value in the market with the Spanish funds, representing an equal confidence on the part of capitalists in the financial integrity of the two countries. It is highly probable that Mr. LOWE's burst of spleen may delay or impede the reduction of the Spanish tariff; and, as Mr. GLADSTONE, perhaps with a satirical meaning, suggests, Mr. LOWE shares with his colleagues the responsibility of asking Parliament to ratify the Treaty of Commerce with Austria. It luckily happened that Mr. GLADSTONE shared Mr. LOWE's theoretical objection to a system which is intrinsically objectionable, yet it may be conjectured that he would not have been disinclined to the conclusion of treaties with Spain and Portugal, if it had not happened that he clings with singular tenacity to the alcoholic standard of taxation on wines.

THE ABUSE OF THE COMPETITIVE SYSTEM.

MR. FAWCETT, who the other day told his constituents at Brighton that he objected to bribes even in the modest form of baronetcies, embodies very distinctly that democratic dislike of patronage and privilege which is at the root of whatever popular feeling really exists in favour of universal competition for public appointments; and it is therefore less surprising that he should propose to fill up Admiralty clerkships and tide-waiterships by general competitive trial than that Mr. GLADSTONE should promise to give some sort of effect to the proposal. The language of the PRIME MINISTER was perhaps designedly vague, but if the contrast he drew between what he called perfect freedom and the present system of nominating three persons to compete for each of these petty offices was meant to bear its apparent meaning, it looks very much as if he intended a most extravagant application of the principle of competition. It may be conceded to Mr. FAWCETT that some of the objections which were taken at the outset to competitive examinations had not much force originally, and have not been sustained by experience. Mr. ANTHONY TROLLOPE published a novel of which the moral, or apparent moral, was that Government clerks chosen by competition were sure to be dishonest in office and in love, and that the best test of uprightness, ability, and the capacity to write popular novels was an apprenticeship to the public service passed in flirting with barmaids and running into debt. It may, however, be safely affirmed that the adage which calls idleness the mother of mischief is a safer rule than the assumption that early education corrupts good morals. At the same time nothing is more certain than that the gravest mischiefs may arise from pushing the system of competition to extravagant lengths. It is hardly more absurd to apply it without qualification to professions, such as diplomacy, where a special social training is required, than to the Government offices which are not reserved as the prizes for Parliamentary or general reputation. The danger of this last experiment is not that it will create an incapable or dishonest, but that it will create a profoundly discontented, public service. A young man who under the present system procures, or has procured for him, a nomination to a limited competition of three or four persons, is conscious that he has distinctly chosen a walk of life which he or his parents consider adequate to his abilities; but the youth who has beaten an indefinite number of rivals in an open competition is extremely apt to believe that he could have beaten all the world in any conceivable contest, if he had only had the chance. A public service chosen on the principles which Mr. GLADSTONE seems inclined to accept will

probably be in time animated throughout by the spirit which already leads writers of the Under-Secretary class to depreciate Parliamentary government in elaborate essays, and will carry to still greater lengths the aggressions on the sphere of private enterprise which are shadowed forth in Mr. LOWE's hint that the State may perhaps have to undertake the business of life assurance.

We imagine Mr. FAWCETT to be wrong in his statement that the members of the Indian Civil Service chosen by competition have as yet been employed in delicate diplomatic negotiations. There is, however, no reason for supposing that, when so employed, they will do worse than the sons and nephews of East India Directors who preceded them. The application of the competitive principle to the Indian Civil Service is a very different matter from its application to the Civil Service of this country. One service governs a great empire, and offers prizes which may well satisfy every form of ambition. The other service has but moderate rewards even for those who are most successful in it, and is excluded from governing us by every principle which makes our institutions different from those of our neighbours. The doubts which were at first hinted, by experienced Indian public servants, of the view which the natives of India were likely to take of the new class of Indian civilians, were probably founded partly on prejudice and partly on ignorance of the social standing of the persons by whom the British Indian Empire was conquered and consolidated. No topic was more frequently enlarged upon in the early Parliamentary debates on the East India Company than the low extraction of the persons whom it sent out to administer its dependencies in the East; and a young French nobleman who travelled in England about the middle of the last century has left on record an account of a discussion in the House of Commons during which he heard the Lord EGMONT of the day expatiate on the hardships imposed on the King's officers in India in having to salute a gentleman in high place whose father had played the pipes to a *Punch and Judy* show. The truth seems to be that the gulf between Englishmen and the natives of India is so wide that the latter do not distinctly see across it, or distinguish between one sample and another of the English middle class. Although, however, the application of the competitive system to the Indian Civil Service may be defensible on the whole, there are some reasons for thinking that even there some check on it would be desirable in the interests of the Empire. We are indebted to a contemporary for calling attention to the fact that competition is giving a share in the statutory monopoly of the Civil Service to natives of India who belong exclusively to the feeble and exceptional races, the Bengalees and Parsees. Now few persons are so wedded to a general belief in the equality of mankind as not to perceive that the superiority of one class to another, of one caste to another, of one race to another, in the East is a very different thing from a mere distinction of classes in this country. The upper and middle classes of Englishmen have long been subjected to levelling and fusing processes which have gone far to annul nearly all specific differences, but the advantage of one body or class of men over another in Oriental countries had been determined by the sternest operation of the principle of natural selection. If, when the English entered India, they found any race systematically trodden down, resigned to a consciousness of its own effeminacy, and employed in unwarlike pursuits, the chances are very many to one that the men of this race are characterized by an incapacity to govern, moral, intellectual, or physical, which it may take centuries of British influence to qualify or remove. That the Bengalees and Parsees were among the most oppressed of Indian races in the last days of native rule, and the most profoundly modified by oppression, seems to be admitted on all sides. Both are said to have still the peculiarity which MACAULAY attributed exclusively to the Bengalees, that they do not contribute a single soldier to any of the native armies. To treat these races as they used to be treated, to govern them on any principles not applied to the rest of the Empire, would be to violate the first law of British Government in India; but to use them as instruments of government, and to place them in situations where presence of mind, promptness of action, self-reliance, and physical courage may at any moment be required for the successful conduct of the most emergent and important affairs, does appear to be a policy which calls for more explanation than the fact that young men, who do not seem very certain about their age, have passed a competitive examination. If the competitive system, thoughtlessly applied, leads to cutting blocks with razors in England, it seems to threaten the use of penknives instead of swords in India.

THE NAVY ESTIMATES.

WE shall be better able to judge a year hence than we are now whether all the economies promised by the FIRST LORD can be effected in practice, but there is enough even on the face of his statement to show that his reforms are based on sound principles, and cut at the root of some of the worst extravagances of our dockyard system. Two standing defects have hitherto baffled all the efforts, if any efforts were made, of a long series of First Lords. One was a mass of overgrown establishments put together without system, and worked without economy; the other was the enormous drain for current repairs. Mr. CHILDERES has essayed to deal with both these difficulties. He has retrenched the establishments with an unsparing hand, and he has undertaken to do all the necessary repairs with about half the working strength usually devoted to the purpose. Whether the reduced establishments will work, whether the complement of men proposed for repairing and refitting operations will suffice, we shall know better hereafter than now. But Mr. CHILDERES is confident—perhaps a shade too confident—in the success of his reforms, and as yet there is nothing, either in Mr. CORRY's criticisms or in any known facts, to show that the administration of the navy will not settle down upon its new basis without any material loss of efficiency, and with a very marked saving of expense.

The method pursued in pruning the establishments has been simple enough. Out of every three clerks, one has been dismissed, and something of the same kind has been done with officers of a higher grade. In the last case Mr. CHILDERES tells us that almost all the retirements have been voluntary, which is very remarkable indeed if there has not been some unrevealed expenditure in some other shape to render dismissal more palatable than it usually is. What we are told is that, out of 1,233 officers drawing salaries amounting in the aggregate to 354,346*l.*, 240 officers have disappeared, with a saving in salaries of 74,445*l.* As all this has been done without compulsion, and, so far as the FIRST LORD explains the case, without compensation, we think it may be assumed that the 240 gentlemen who have thus voluntarily sacrificed themselves for the good of their country are the most brilliant examples of patriotism that history has ever recorded. It may be sweet to die for one's country, but to these 240 martyrs was reserved the privilege of discovering that it is sweet to starve for her. However, there the fact stands recorded in Mr. CHILDERES's speech, and, being wholly unable either to explain or comprehend it, we must content ourselves with congratulating the Board of Admiralty on the really great feat which they have achieved. The case of the men is less puzzling. There is no doubt about the compulsion in their case, and, though in the time and mode of reduction all possible consideration should be given, we are not prepared to say that the country is bound to pay more workmen than it has occasion for. The whole strength, which has in some years been as high as 14,000, is to be reduced to about 11,000 men, while at the same time the new work to be done is to be above the average of former years. At the first glance this is a rather startling promise, but, whether it will be fulfilled to the letter or not, Mr. CHILDERES does point out some of the changes which will tend in the right direction. The great reduction is to be in the labour spent about repairs. This has always been a devouring item, and any plan which promises to reduce it will be justly welcomed. One source of economy in future will be greater concentration of work by the closing of the minor dockyards. Another, and the principal, saving is to be effected by getting rid of all the obsolete and worthless ships, which cost annually more than they were worth in maintenance and reparation. Perhaps the change in the character of the fleet will contribute as much as anything to economy in this direction. A moderate number of excessively powerful ironclads may well cost less in annual repairs than a much larger number of wooden vessels of inferior force, and Mr. CHILDERES is no doubt fortunate in bringing forward his economic reforms at a time when the natural course of events is likely to help instead of hindering his efforts. Even when all these considerations are allowed for, the promised results are very astonishing, and if confirmed by experience will be not less satisfactory. It appears from Mr. CHILDERES's statements that in 1866-7 a dockyard expenditure of 3,000,000*l.* gave a building power of only 15,000 tons, all the money beyond what this amount of production required being absorbed in establishment and repairing outlay. In the next year a great effort was made, and with a total expenditure of 3,440,000*l.*, the tonnage built was 33,400. The additional 440,000*l.*, in fact, sufficed to add 18,000 tons to the production of the dockyards. In 1868-9, however, an expenditure of 3,600,000*l.*

only produced 27,400 tons, and in 1869-70 the expenditure fell to 3,000,000*l.*, and the tonnage built to 22,300. These figures seem to imply that repairs and the like have hitherto swallowed up nearly 2,000,000*l.* a year of the dockyard expenditure. In the times now approaching we are to see a marvellous change. The dockyard expenditure is to be reduced to 2,400,000*l.* a year, and out of this an annual production of 20,000 tons of ships, generally of the most costly description, is to be obtained. If Mr. CHILDERES establishes this as the normal scale of expenditure and work, he will have effected a reform which by itself will tell very appreciably on the percentage of the Income-tax.

Apart from his economies, the scheme proposed is, with one exception, essentially sound. The chief efforts of the Admiralty are to be spent on the production of ironclad turret-ships of the most formidable class, and very speedy and powerful unarmoured cruisers. The strange delay in the trial of the *Captain* is of course the excuse for not proceeding further at present with the experiment of armoured and turreted cruisers, but Mr. CHILDERES is not committed against the principle, and when next he moves the Navy Estimates he will probably have more certain data to rely upon. Any further procrastination will, he may be sure, be watched with jealous vigilance, and may come to be regarded as an acceptance of the very uncandid statement of the turret-question which has recently been given to the world by the able and prejudiced officer who controls the CONTROLLER of the NAVY. Still all that it is now proposed to do is work that must be done. Neither the swift unarmoured frigates nor the tremendous sailless turret-ships of the *Thunderer* type can well be dispensed with, and whatever omissions there may be in the programme for this year may be without much difficulty supplied as soon as our experience has been allowed to ripen on the subject of turret-cruisers. After so much economical virtue, it is not perhaps surprising that Mr. CHILDERES should have indulged himself in the luxury of one extravagant item. He intends to spend we do not know how many thousands or tens of thousands of pounds in giving Sir JOSEPH WHITWORTH yet another chance of retrieving his failures in previous competitions, and, as usual, the Admiralty has kindly afforded this prince of mechanicians a competition on his own terms. It is well known that very costly trials have taken place to test the comparative merits of the WHITWORTH and the Service systems of rifling. These have uniformly resulted in showing, according to the opinions of the able officers who conducted the experiments, that the balance of advantage was in favour of grooved as against polygonal rifling, though excellent guns have been produced in both forms. Another series of costly experiments on projectiles has established the fact that steel and chilled iron are about equal in penetrative power, and that steel shells are a little less liable to burst in the gun than those of chilled metal; but the enormous difference of expense has established the less costly metal in use for the navy. Some recent accidents have shown that in the larger chilled iron shells the walls have been sometimes made too thin for safety, and that we must content ourselves with a smaller bursting charge and greater strength of metal, unless we are prepared to revert in these cases to the expensive alternative of steel projectiles.

A further question is now raised. All our service guns, as is well known, are built-up guns, and theory and practice have hitherto been equally adverse to the system of constructing very large guns out of a single block of metal. Even the famous KRUPP has not been altogether successful with his heaviest ordnance, and no facts are yet established which seem likely to displace the superiority of the coiled gun for all large calibres. Sir JOSEPH WHITWORTH however conceives that he has at last arrived at the production of a new form of steel which will supersede all other material for the construction of heavy ordnance and also for that of projectiles. It has not yet, we believe, been tested for guns on anything beyond a playing scale, and the projectiles have shown a greater tendency to break up than the worst of the PALLISER shells, besides being much more expensive; but Sir JOSEPH's reputation, combined with the great influence of his friends and admirers, has induced the Government to give the new metal a trial. This might be thought a little speculative, especially in a Government which has stopped the usual outlay for experimental purposes; but if the question were simply that of ordering and testing a certain quantity of a new kind of metal, there would be no serious loss, even if it proved less valuable than it very likely would do. But this obvious course is not at all what is proposed. Not only is the new metal to be tried, but the old polygonal system of rifling, which has been condemned again and again, is once more to be

pitted, at enormous expense, against the Service pattern, and the comparative merits of steel and chilled iron shell are again to be brought into competition. This is neither a scientific nor an economical proceeding. The three questions—the best form of rifling, the best material for projectiles, and the best metal for guns—are essentially independent, and ought to be tried separately. The Government, however, have determined on doing what would probably not be done for any one in the world but Sir JOSEPH WHITWORTH. They will confuse these three distinct inquiries (one, if not two, of which have been conclusively settled) in a monster competition between WHITWORTH and Service guns of enormous calibre, instead of investigating at a comparatively nominal expense the value of the special metal, which is the only novelty that calls for experimental examination. This, we suppose, is Mr. CHILDER'S reaction from the excessive strain of his efforts for economical reform, and he has judiciously broken out in a direction which will increase Mr. CARDWELL'S estimates instead of his own. He has earned some indulgence, but it is a pity that he could not find a less costly amusement than this threatened competition is likely to prove.

THE PARSON OF THE OLD NOVELISTS.

IN the modern rage for historical gossip, the passion for intruding into old-world secrets and realizing obsolete manners, it is remarkable how little we can get to know of the social life of the clergy of but a hundred or a hundred and fifty years ago. The most curious and determined investigation always comes to a stop here. We hear a great deal about the politicians, the wits, the squires, the courtiers, the actors, the beaux and belles, the footmen, the waiting-women of the last century, but the social life of the clergy is still all but a *terra incognita*. It has no historian, no diarist, no chronicler; and—perhaps what more than all accounts for the blank—it has no fiction devoted to its delineation; none, that is, in comparison with the enormous mass of literature dedicated to the portrayal of clerical life and character in our own time. Mr. Trollope alone, the self-constituted bard and laureate of the clergy, presents more pictures of clerical character than the whole fiction of the world up to the beginning of the nineteenth century. Accustomed as people now are to get their ideas of the class, beyond their own limited experience, from the novelist, they naturally turn to the pages of fiction for information as to a past period. There is not indeed an absolute blank. But the invariable reference, by every inquirer, to Parson Adams and Parson Trulliber shows how circumscribed is the field. Richardson, to be sure, has his parsons, but he throws none of his invention and an undue share of his prose into them. They are mere conventionalities, and tell us nothing, being simply reflections of the virtues or the villainies of their patrons and employers. Dr. Bartlett, Sir Charles Grandison's "monitor in youth," lives in his patron's house, conducts family worship, sings his praises with tears in his eyes, and provides him an amanuensis in the person of his nephew. The ruffian abductor Sir Hargrave has his snuffy priest ready to mumble the marriage service over the terrified and fainting Harriet Byron, had not the opening words of the service given her frantic strength enough to dash the book out of his hands with the well-known cry, "No dearly beloveds." Clarissa has her venerable pastor, Dr. Lewin, a worthy divine; her cruel relations have their sycophantic, pedantic, time-serving tool, Mr. Brand; but not one of them has made himself a name. Goldsmith's Dr. Primrose we feel to be himself; we can scarcely accept any part of his delightful book as a picture of manners; it is the one novel from which we do not require this sort of truth. Even the plays of the time that come down to us tell us nothing. Parson Adams resents the scraps of wit against the clergy quoted from plays of his day, and wonders Government does not interfere; but few of these survive. The real wits, little respect as they showed for morals, as a rule let religion and the parson alone, probably because the parson occupied no place in the mind of the fashionable world. The clergy, as a body, were not interesting to the readers and critics of the period. Wherever there are good livings there will be men of family and social consideration; but the wits wrote for London and of London, and knew uncommonly little about the more dignified components of country society. Their stock idea of the parson seems to have belonged to the curate order of the profession, the chaplain, and perhaps the Ordinary of Newgate. To the mass of the people, on the other hand, especially the rustic population, the clergy then represented religion and learning, at a time when learning was reverenced more than it has been since, and Latin was a mystery, an innocent, nay salutary, branch of the black art. A great deal was taken for granted and excused in a man who was an adept. Our readers will remember Addison's story to the point; but his characteristic humour expresses itself in so terse a form that we may indulge them by quoting it entire:

I have heard of a couple of preachers in a country town who endeavoured which should outshine one another, and draw together the largest congregation. One of them, being well versed in the Fathers, used to quote every now and then a Latin sentence to his illiterate hearers, who it seems found themselves so edified by it, that they flocked in greater numbers to this learned man than to his rival. The other, finding his congregation moulder ing every Sunday, and hearing at length what was the occasion of it, re-

solved to give his parish a little Latin in his turn, but, being unacquainted with any of the Fathers, he digested into his sermon the whole book of *Quæ Genus*, adding however such explications to it as he thought might be for the benefit of his people. He afterwards entered upon *As in presenti*, which he converted in the same manner to the use of his parishioners. This in a very little time thickened his audience, filled his church, and routed his antagonist.

And even where there was not a pretence of learning, the parson who was good company found tolerant judges; their reverence not exacting consistency. The *Connoisseur* tells us of the sporting parson arriving full gallop at the church doors, where all the congregation awaited him, giving his "brown scratch bob" a shake, clapping on his surplice, and giving *entire satisfaction* to both parish and squire, both in desk and pulpit, the squire inviting him to dinner, where jovial toasts were only interrupted by the bell for the second service. The literary interests of remote districts were mainly sustained, however, by the clergy, and we read of a little centre of intellectual activity—a club of parsons who assembled every Saturday at the nearest market town to be shaved, to exchange sermons, and to discuss the monthly reviews.

Authors of the eighteenth century wrote, however, at a time when rustics and rural pursuits were the ridicule of fine people; when Millamant nauseated walking as a country diversion; and "loathed the country and everything belonging to it," and the parson certainly not less than his surroundings. They wrote, too, in an age of fine clothes, when language separated the cleric from the laity by this one distinction. When a parson is under discussion we are never allowed to forget his clothes. Thus the history of Parson Adams's cassock accompanies his own. It had got a rent in climbing over a stile ten years before the story begins, and by the end of it scarcely a rag remains. That word *cloth* accounts for a great deal of oblivion in the great world. At a time when gentlemen glittered in scarlet and gold lace, the inevitable gown and cassock stood at a disadvantage; and when swords were not only worn but drawn, the compulsory submission to snub and insult which the cloth exacted was a still greater disqualifier. When wit and repartee were everything in conversation, it needed a double allowance of wit to shine in pudding-sleeves. That it did shine we know, but the gown was an incubus to the clergyman in gay society, and a constant butt for the dull joker. His cloth was a continual consciousness to Swift; that he made capital of it—"the old wig" of clerical cut and "rusty gown"—does not the less prove that the consciousness was an irksome one. Being once present at a discussion on the personal appearance of Julius Cesar, "For my part," said Ambrose Philips, a vain man and neat dresser, "I should take him to have been of a lean make, pale complexion, extremely neat in his dress, and five feet seven inches high"—an exact description of Philips himself. "And I, Mr. Philips," said Swift, "should take him to have been a plump man, just five feet five inches high, not very neatly dressed in a black gown with pudding-sleeves." The supremacy he assigns to the captain's wit over the parson's we know—

Dear madam, be sure he's a fine-spoken man,
Do but hear on the clergy how glib his tongue ran.

And this captain "all daub'd with gold lace" falls foul at once of the shabby cassock and rumpled band:—

Whenever you see a cassock and gown,
A hundred to one that it covers a clown.
Observe how a parson comes into a room, &c.

No satirist of that date ever supposes that a woman can turn her thoughts on a parson till her forty-fifth year. He is the *pis-aller* of the old maid of genteel life. Even the devotee who disturbs good company by her scruples is not led up to them by the parson. He has had no influence over her. The gospel gossips of the *Spectator* are Dissenters, and the Lady Prue who goes to hear Whitfield accepts his teaching, but expects the half-hour of his sermon to condone her four hours' flirtation with the colonel. Not that this argument goes very far. Swift in his pudding-sleeves broke some female hearts. The captain's red coat only gives him five minutes' start in the favour of fair eyes, but a start which the parson of that day could not overtake. As it was, an authoress somewhat later on in the century shows an exceptional tenderness for the cloth. Miss Fielding, in her *Ophelia*, makes an interesting young parson a pretender to the hand of her heroine—a great promotion as times then went. Of course he is refused in favour of the libertine hero, and of course her aunt had taken his timid advances as intended for herself, and is furious accordingly at the *dénouement*; but Mr. South is intended to be interesting, and not ridiculous, in the reader's eyes, which is a testimony to the inherent feminine sympathy with the clerical profession.

As for Fielding's (her brother's) standing representatives of the class, we may allow the ladies some excuse for holding aloof from the curates if they in the remotest degree resembled these types. Trulliber is voted an exaggeration, yet it is impossible not to suspect much literal truth in that scene where he entertains his brother parson Adams, and snatches the cup of ale from his hands, reproving Mrs. Trulliber, who stands behind his chair (her place at meal times) for helping their guest when he had called first. "No, sir, no, I should not have been so rude to have taken it from you, if you had *cauld' vurst*; but I'd have you know I'm a better man than to suffer the best he in the kingdom to drink before me in my own house, when I *cauld' vurst*." Nor is Parson Adams, though a better man, a more desirable inmate of a lady's drawing-room. It is scarcely to be wondered at that he can get no nearer access to the great lady than Mrs. Slipslop, her waiting-maid, who is herself a curate's daughter. He fits much

better the kitchen, where he so often refreshes himself with Sir Thomas's ale after his four services. Scholarship and criticism are good things, but a woman must be excused from caring for them when they can only be heard through the fumes of endless pipes of tobacco. It may be that the novelist's old plan of leading the hero through a series of adventures confines him to such company as at least is introduced at the alehouse, for certainly the historical parson seems most at home there. "The parson," says one man, "took me for a Presbyterian because I would not drink with him." And how Adams's salary of 23*l.* a year could supply him in beer alone is a problem nowhere explained.

The novelist and essayist of that day alike amused themselves with the rustic fondness for sermons. It was the fashionable world, then as now, that took the satirical view. Sir Roger, when he restricted his pastor to a choice from a library of standard divines of his own selection, no doubt pleased himself at the expense of the parish. Parson Adams has a faith in his own sermons which implies, however, admiring parishioners; the joke is relished of his pulling them out to read to the most incongruous audience, his resolving never to be without his sermon on *Vanity* in his pocket, and his offer of his MS. volume in pledge for an unpaid score. Printing sermons is indeed a time-honoured joke. In one of Smollet's prefaces—after the model with which Walter Scott has made us familiar—the Reverend Mr. Jonathan Dustwich, who is coming up to town with a sermon to print, hears in reply from his publisher, "You need not take the trouble to bring up your sermons on my account, nobody reads sermons but Methodists and Dissenters"; going on further to explain that he himself was a stranger to that sort of reading, and that the man whose judgment he depended on in such matters had gone abroad as carpenter in a man-of-war.

This change, then, has come over the novel. The parson of old, to be worth drawing at all, must be either a disgrace to his cloth or an oddity—either disreputable, or a pedant, or an amiable eccentric and butt, or simply conventional of the white-haired type, a piece of furniture uttering platitudes which the reader never dreams of reading, but who must be there for the credit of hero or heroine. Any way he could only be subordinate. That he should take the lead and represent light and progress, that he should be well-mannered, handsome, and interesting, is an idea of another century which deserves further consideration.

THE EDINBURGH REVIEW AND THE EARLS OF BEDFORD.

IF there is any family among the English nobility whose pedigree is not mythical, whose historical succession is perfectly well ascertained, and about the date of the bestowal of whose honours there can be no manner of doubt, it is surely the ducal house of Russell. There may, for aught we know, be myths about the early days of the family, as about those of any other family; but the historical members of the house, the Earls and Dukes who have played their part in the drama of English politics, are not shrouded in the gloom of remote antiquity, but stand forth in the broad day-light of the last three hundred years. And in the whole range of English periodical literature, if there was one publication more than another where we should have looked for perfect knowledge with regard to every Russell who ever walked the earth, it certainly is the *Edinburgh Review*. One would have thought it treason to the blue and buff which once sheltered the writings of Jeffrey and Macaulay, if any of their successors erred in the smallest point with regard to a house so thoroughly identified with that now half-forgotten badge. We should as soon have looked to see a Russell swerve from the traditions which blue and buff is still held to typify as to see the blue and buff Review deal with the honours and the generations of that illustrious house as lightly as a professed genealogist deals with the men whose names are written in Domesday. Yet we have before our eyes an article in the last number of the *Edinburgh Review*—a number still clad in the traditional garb, and still casting the threatening saying of *Publius Syrus* in the teeth of mankind—in one paragraph of which we have statements about the Russells of the sixteenth and seventeenth centuries as wild as if they had wandered out of the eleventh or twelfth.

John Russell, created Lord Russell by Henry the Eighth and Earl of Bedford by Edward the Sixth, is a man known familiarly enough in the history of those times. He was one of the Commissioners sent into Somersetshire "for the trial and execution" of Abbot Whiting, and Mr. Froude argues that the murder thus arranged beforehand must have been all right, because "Lord Russell, whose stainless character was worthy of his name," helped duly to carry out the Jeddart justice of Henry and Cromwell. Every one knows how the renowned Abbey of Tavistock and the less famous house of Woburn became his share of the spoil. But the *Edinburgh Reviewer* is not satisfied with this, but creates a hitherto unknown Abbey to be bestowed on the lord of Woburn and Tavistock, who is at the same time given a lift in the peerage of which no earlier writer has taken notice. "On the Suppression, the *Abbey of Covent Garden*, with its contiguous estates, after having been first granted to the Protector Somerset, came into the hands of the first Duke of Bedford." The *Edinburgh Reviewer* then plainly believes that there was an "Abbey of Covent Garden," apparently thinking that the monastery itself stood on the site of the market—the church being perhaps represented by the modern church of Saint Paul—and certainly thinking that the land round about belonged to the Abbot and Convent of Covent

Garden. It is plain that he did not know the meaning of the word *Covent*, or he could hardly have devised so very odd an institution as an Abbey of Covent Garden. We always thought it funny when Sir Walter Scott, in the Tales of a Grandfather, talked of "the students"—not of Gray's Inn, but—"of Gray's Inn Lane," but the students of Gray's Inn Lane are a tribe compared to the Abbot of Covent Garden. One would have thought it needless to tell any one that *Covent* Garden got its name from being a possession of the Abbot and *Covent*—the old form, familiar to all whose reading goes back as far as Bishop Godwin—of Saint Peter at Westminster. But one would have thought it doubly needless to explain so obvious a matter to a writer who had, only a few pages before, quoted a passage from Dean Stanley in which it was explained already.

Now it is perhaps needless to tell any one who has read Lord Macaulay's history that the first Duke of Bedford of the Russell family—for of course "the first Duke of Bedford" was the glorious Regent of France—received his Dukedom, not in the days of the suppression of monasteries, but in those of the great deliverer King William the Third. Most people would remember the reason which the wise old Earl gave for over and over again refusing the dignity which he was at last persuaded to take. But seemingly Lord Macaulay is not read by the present race of *Edinburgh* Reviewers; all this is forgotten, and the first peer of the family is carried straight, along we suppose with Seymour and Dudley, to the highest rank of the peerage. But this is not all; the writer, after having turned Earl John into a Duke, immediately forgets his own exploit, and goes on talking about "the fourth Earl" and "the fifth Earl." And this is not all either; having reached the fifth Earl, he goes on to flounder about yet more hopelessly in the quagmire of his own making. To call Earl John a Duke was culpable carelessness, but it may have been mere carelessness; but what are we to say to this? "The title of the fifth Earl, created Marquis of Tavistock at the Restoration, survives in Tavistock Street. His eldest son, the celebrated William Russell," &c. The *Edinburgh* Reviewer did not stop to think that, if the Earl of Bedford was made Marquis of Tavistock, his eldest son must needs bear the courtesy title of Earl of Bedford; he did not stop to think that the eldest son of the Earl of Bedford must needs bear the courtesy title of Lord Russell; in short he did not stop to think about what he was writing at all. People have got into a confused way of calling the Lord Russell who was beheaded, Lord William Russell, seemingly fancying that he was the younger son of a Duke of Bedford instead of the eldest son of an Earl. This was what the *Edinburgh* Reviewer evidently had in his head, but he made matters worse by a perfectly gratuitous promotion of Lord Russell's father to the rank of Marquis of Tavistock "at the Restoration." The first Russell who was created Duke of Bedford was also at the same time created Marquis of Tavistock, and that title was first borne by the young son of William, Lord Russell. This again might have been learned from Lord Macaulay, who has something to say about the young Marquis, as well as about his admirable mother.

Now, besides the writer of all this, it is to be supposed that the *Edinburgh Review* has an editor. It follows therefore that there are two people, who have not only learned to read and write, but who think themselves capable of managing a Review which once was an honour to English literature, who are in this state of utter confusion about a matter about which, of all matters, we should have expected an *Edinburgh* Reviewer to be well informed. The passage on which we have been commenting comes from an article on "London Topography and Street Nomenclature," of which the most that we can say is that it very much reminds us of the paste-and-scissors productions of Mr. John Timbs. In short it is a gathering together of scraps of the most abject kind, mostly from all sorts of obsolete antiquaries, interlarded with bits of Dean Stanley, and once with a bit of Mr. Kemble, who has indeed fallen among strange bed-fellows. Will it be believed that in the *Edinburgh Review* in 1870 the origin of London is discussed without any reference to Aulus Plautius, and that the writer goes to the *Monasticon* secondhand through Sharon Turner? His reference is therefore of course to the old edition, somewhat to the perplexity of those who would verify a very queer-sounding statement by the help of the *Monasticon* now commonly in use among scholars. It is perhaps enough to say that the history of London, from the time of its beginning and somewhat earlier, is treated in exactly the same style as the history of the Earls of Bedford. The grotesqueness may not be equally plain to the general reader, but to experts one part is as refreshing as the other. We will content ourselves with a charming bit of secondhand philology:—

The present *Addle Street*, Cheapside, called King Adel Street in early records, has been associated with the traditional abode of King Athelstan, but, as Mr. Cunningham observes, "the Saxon word adel is simply noble or nobility, and the street of the nobles may perhaps be meant."

We will make only one comment, that the *Edinburgh* writer and his guide Mr. Cunningham seem both to be of the sect who fancy that High-Dutch was once spoken in England.

Now here is a Review, which once gave to the world some of the most brilliant compositions in the English tongue, which has sunk, on such a subject as the history and topography of the capital of England, to the level of a country bookseller's local guide-book. Nor does this kind of thing stand alone. In the same number and in the one before it are two articles on "Tree and Serpent Worship" and on the "Prae-Christian Cross," where the pre-scientific mythology—if that be not too mild a name for the wildest kind of mystical speculation—is pretty much

on a level with the pre-scientific topography of the article on London. The writer has gone wild after Mr. Fergusson. Mr. Fergusson is a clever man, and, as long as he keeps himself to Indian architecture, he is in a domain which is thoroughly his own and in which his services can hardly be rated too highly. But he had better leave mythology and history to those who understand them. Mr. Fergusson has set the *Edinburgh Reviewer* a-going to his own ill-luck, but we cannot think that Mr. Fergusson, even when discussing Turanian tombs, would lend his name to this sort of thing:—

Fifty years ago Mr. Faber, in his *Origin of Pagan Idolatry*, placed artificial tumuli, pyramids, and pagodas in the same category, conceiving that all were transcripts of the holy mountain which was generally supposed to have stood in the centre of Eden; or rather, as intimated in more than one place by the Psalmist, the garden itself was situated on an eminence (conf. Ps. iii. and lxviii.). The result of our present researches has led us to attach no inconsiderable importance to this opinion. It did not enter into the scheme of that learned writer to work out or exemplify his theory; the prime antiquity of pyramidal structures alone concerned him. Thomas Maurice, who is no mean authority, held the same view.

It is a pity that Dr. Maitland is not alive, or he might have said something about this holy mountain quite as good as what he said about that other holy mountain which was inhabited by the righteous descendants of Seth, and about those marriages of godly men and ungodly women which so strangely gave birth to a race of giants. Letting this pass, this ingenious author, tormenting himself with Faber and Maurice, is in exactly the same stage as his brother the topographer, groping away at Stukeley and such like prophets of the days before Kronos and the Moon. It shows how little progress has after all been yet made by the public mind towards the scientific treatment of any historical subject, that this sort of thing can find a place in a publication of such pretensions as the *Edinburgh Review*. But it suggests another vein of thought with regard to the history of these great Reviews themselves. Jeshurun, we are told, waxed fat and kicked, but it seems to be the fate of these Reviews to wax fat and to leave off kicking. The *Edinburgh Review* got itself a name by the vigorous kicks which in early days it gave forth in all directions. It was then young and sprightly, it was in advance of its age, people wondered at it as something bold and go-ahead, something which regarded not the idols of its own time, but daringly cut out new paths for itself. In more developed stage it became the vehicle by which the great essays of Lord Macaulay, of Sir Francis Palgrave, and of others of lesser, though no mean, fame were given to the world. We have often thought what would be the fate of an essay like one of those great essays, were it to be offered to the *Edinburgh Review* now. It is certain that such articles no longer appear there; but it is equally certain that it is not because there are not people in the world capable of writing them. But Reviews of this kind, which made their position by vigour and daring, seem to keep their position by a sort of dead level of respectability which dreads vigour and brilliancy, though it is not inconsistent with dulness and inaccuracy. They live and are read by force of habit; no club or reading-room could give up taking them in; people whose grandfathers took them in from the beginning do not like to cut short the series of volumes which have been so long gathering on their shelves. But the real spirit, the real influence, of literature of this kind has for the most part passed away to younger rivals. The articles in the younger quarterly Reviews are of all kinds of degrees of merit, but, as a rule, they are written freely and boldly; that is, they are written as men wrote in the *Edinburgh Review* when the *Edinburgh Review* was young. But in the *Edinburgh Review* now, even when there is an article which shows knowledge of its subject and capacity of writing English, there seems to be spread over it a certain vague feeling of working in chains. The author writes as if he dreaded lest some undefined evil—such as might happen if the Speaker named a member—would fall upon him if he really put forth his thoughts freely and unflinchingly. It is only people who write nonsense about the Earls of Bedford or the holy mountain in Eden who seem to be perfectly at their ease and to show off their gambols without let and hindrance. Only, when we think what the *Edinburgh Review* once was, it is really a pity that some other place cannot be allotted for their performances.

THE INSPIRED SCHOOLBOY OF POLITICS.

THE great art of deputation has many branches. Before ladies' schools had been converted into ladies' colleges advertisements used occasionally to appear indicating the select academic groves in which youth of the female sex were instructed in the arts of leaving and of entering a drawing-room, of getting into and out of a carriage without revealing the slightest glimpse of an ankle, of using a handkerchief as gracefully as a fan, of consuming the fruit which attracted Eve in a manner which should bear no resemblance to the performance of the sailor's wife in *Macbeth* who had chestnuts in her lap, and of rehearsing a presentation at St. James's before the borrowed majesty of some awe-inspiring school dame or lady-principal. These things have vanished before the progress of female intelligence and erudition. They do not suit the meridian of Harley Street and Bedford Square. Comparative philology, the higher mathematics, and the science of religions have made away with them. The art of deputation, sinking lower and lower, now lingers chiefly in political circles. No statesman should be ignorant of it. It has many applications. Perhaps its most important branch

is the reception and treatment of a deputation. *Quot homines tot sententiae.* There are as many modes as Ministers. Mr. Gladstone stands behind the horseshoe table which protects him from popular affection and curiosity with rigid attitude, downcast countenance, and covert and oblique glances, as if, in the language of the police-reports, he felt acutely the disgraceful situation in which he was placed. Mr. Goschen assumes an air of careless inattention, not to say hardened indifference, which is strikingly in contrast with his tender years and with the comparatively short time during which he has been engaged in his present way of life. Mr. Bright, who is perhaps the greatest living master of this delicate and difficult art, affects the reassuring demeanour of a benignant consulting physician. He doesn't know why his visitors should have come to him. They really have nothing the matter with them. They are well, if only they will think so. Let nature take its course; let them leave State-doctors and physic and such nonsense alone, and they will be quite right. Mr. Bright's political advice bears a good deal of resemblance to that which is given to hypochondriacs in Dr. Buchan's *Domestic Medicine*, if Coleridge quoted that valuable work correctly in his *Biographia Literaria*—namely, to preserve themselves uniformly tranquil and in good spirits. Mr. Lowe, like Mr. Bright, generally endeavours to impress upon deputations that there is no use at all in their coming to him. But, instead of a soothing, he adopts rather an irritant treatment. He lets it plainly appear that he thinks them fools, and he even endeavours to open their own eyes to that unwelcome fact. He essays to prove to them that they are ignorant of everything, even of their own ignorance. Mr. Lowe puzzling a deputation and reducing it to confusion blends curiously the Socratic method with the manner of an Old Bailey lawyer. It is touching to note the contrast between men entering the official residence of the Chancellor of the Exchequer to fulfil an appointment with Mr. Lowe, and the same men leaving it after an interview with that gentleman. The brisk, cheerful, and confident air which marked them in essaying the adventure is completely gone as they retreat from it, baffled, discomfited, shame-faced, and inarticulately angry. They look like men returning from the cave of Trophonius. A great fear is on them; they are haggard and wild.

Mr. Lowe's treatment of deputations reveals a remarkable side of his character. Though now not far from being a sexagenarian, he has many of the qualities of a clever lad. He is disputatious and fond of contradiction. He likes to puzzle people, and to place them in intellectual dilemmas. The triumph which a sharp and disagreeable boy manifests when he asks a question or suggests a problem which his victims cannot answer or solve, Mr. Lowe, in similar circumstances, enjoys to the fullest extent. Mr. Disraeli, who is happy in hitting off character in a single phrase, did not show more felicity when he designated the late Sir Robert Peel as the great Parliamentary middleman, than when he described Mr. Lowe as a kind of inspired schoolboy. The term applied to Sir Robert Peel, though meant in disparagement, was really eulogistic. In a Parliamentary career, ruled ultimately by opinion, the function of statesmanship is to mediate between new ideas and old practice. Sir Robert Peel did this with a skill and success scarcely ever rivalled. In setting down Mr. Lowe as an inspired schoolboy, Mr. Disraeli referred particularly to a peroration in one of the speeches of the present Chancellor of the Exchequer in which he likened his own feelings, when household suffrage became law, to those of Demosthenes after the battle of Chaeronea, and found both imaged in the shame and rage depicted in the expressive features of the colossal stone lion which has been dug up from the battle-field. In this extraordinary bit of rhetoric the schoolboy was more apparent than his inspiration. Though Mr. Disraeli spoke only of the more ambitious flights of Mr. Lowe's oratory, his phrase describes a vein which runs through the entire nature of the man. Mr. Lowe is the *enfant terrible* of the Government. He delights in shocking the feelings of his chief and of his colleagues, and in showing the world how little respect he entertains for them. He takes pleasure in being down upon private members of Parliament, whether on his own side of the House or on the Opposition benches, whom it would not be impolitic to conciliate, and to whom, without any sacrifice of honesty to good manners, it might be possible to be civil. During the last Session of Parliament, Professor Fawcett, not without good ground, eulogized the intellectual democracy of the great English Universities, in which the race is always to the swift, and the battle to the strong. Mr. Lowe, without expressly naming Trinity Hall, retorted that Fellowships in the smaller colleges were the refuges of second-rate men, who would be beaten into fits in open competition. Mr. Fawcett's University career was sufficiently distinguished to allow him to feel indifferent to the compliment, which was not, however, the less graceful or well-designed. He took his revenge some time since, when he narrated how he had heard the Chancellor of the Exchequer talking disrespectfully of the Prime Minister. A deputation waited upon Mr. Lowe to consult him about the preservation of commons, or some similar subject. Mr. Lowe teased and worried them with gibe and sneer, smiting them hip and thigh. Hunted out of the open, the unfortunate deputation took refuge behind a statement of Mr. Gladstone's which seemed to promise them some shelter from the pursuer. Mr. Lowe bluntly avowed that he could not make head or tail of it, and added that Mr. Gladstone's object probably was to say nothing at all, and to please everybody, lords of manors included. "Laughter, in which Mr. Gladstone joined," was the reporter's sequel to this recital.

The Prime Minister's laughter was probably as cheerful as if it had been wakened in the jaws of death. Doubtless he "grinned horribly a ghastly smile" at the frankness of his right honourable friend. Mr. Lowe may have smirked with conscious self-approval, and possibly felt disposed to cry with little Tony Weller, when he hears his misdeeds narrated, "That was me, that was."

In the course of last week Mr. Lowe distinguished himself by the same amiable candour to which we are paying our humble tribute. A deputation waited upon him from certain Chambers of Commerce to get his opinion, and to convey to him their views upon a great variety of topics. Mr. Lowe, first informing his visitors as of a thing which might have escaped them, that he was Minister of Finance, and not Minister of Commerce or of Foreign Affairs, proceeded to express his hostility to Treaties of Commerce. The treaty with France he had diplomacy enough to make a feint of excepting from his censure. It had been negotiated, he said, under peculiar circumstances, the peculiar circumstances being probably that the present President of the Board of Trade suggested it, and that the present Prime Minister was the principal instrument in giving it legislative effect. Mr. Lowe proceeded to make it quite clear that he meant nothing by this apparent concession; for he went on to denounce the French Treaty as the mother of the Reciprocity heresy, under cover of which the doctrines of Free-trade are being assailed. Language of this kind must be very agreeable to Mr. Gladstone and to Mr. Bright, who are thus made indirectly responsible for the Protectionist revival. Mr. Lowe should recollect that the President of the Board of Trade, though on his way to recovery, is not yet restored to perfect health. Charges of this sort may throw him back. Mr. Gladstone's casuistry was taxed in the House of Commons by the effort to prove that Mr. Lowe's hostility to treaties of commerce in general did not mean disapproval of particular treaties of commerce, for the most recent of which, that which has just been concluded with Austria, he is ministerially responsible. How Mr. Lowe reconciles the Austrian treaty with his economical conscience, he himself may, perhaps, some day explain. Mr. Lowe was probably, as he seems often to be, under the influence of that schoolboy impulse of self-assertion which leads a lad to disparage his masters, and to set down old G——, the head-master, as a regular buff, who is always preaching; to disparage that stuck-up C——, the fencing-master; and gravely to doubt whether B——, who is at the head of the commercial department, has enough Latin to bless himself with, or could construe a sentence of *Europius* to save his life. When Mr. Mill first entered the House of Commons, Mr. Lowe exhibited some of his least prepossessing qualities in an eagerness to bully the new boy and play tricks upon him, now openly ridiculing him, now complimenting him sarcastically on his being "too clever" for the school, now pulling his themes into pieces, and now laughing at him as a great girl. Mr. Mill, however, showed unexpected pluck and readiness, and managed often to turn the tables on his assailant in a skilful and effective manner. As Chancellor of the Exchequer Mr. Lowe has developed in a different direction something of the same schoolboy disposition. Old City men look at him, now with a little alarm, as at one who may be playing dangerous tricks, without intending any mischief; now with a benevolent surprise and amusement, as if he were a promising lad whose ingenuity pleased them. Mr. Baring, the other day, when some small measure of Mr. Lowe's was under discussion, expressed a tolerant opinion that the Bill was quite harmless, and a confident anticipation, not wholly free from contempt, of seeing for the next Session or two a good deal of experimental legislation of that sort. A vague fear is not wanting, however, that Mr. Lowe's inquiring mind may lead him some time to cut open the financial bellows, in order to discover the wind, or to dissect the goose that lays the golden eggs. His contempt for dignities and authorities was shown in an early declaration of his, that it was not his business to take care of the City, but that the City must take care of itself. The City is naturally distrustful, and on its guard.

Something of the same schoolboy crudity and rashness which we have noted in Mr. Lowe's political character marks the theories of education which, during the two or three years of his retirement from official life, he was very active in propagating. He insisted especially on the study of things, and not of words, "Metaphysics? mere moonshine. Latin and Greek? a lot of learned lumber. What good did they do me in Australia, I should like to know. French, if you like; that's of some use to you if you go on the Continent. But nothing comes up to Civil Engineering, which is the last result of time, and something more than a fairy tale of science." To this effect did Mr. Lowe discourse in Edinburgh, in Liverpool, and elsewhere, with some reason and some lack of it. Mr. Lowe's truths are but half-truths, but they are startling and piquant, and he is evidently sincere in his belief of them. When he was a candidate for the representation of the University of London at the last general election, he informed the members of Convocation that whatever his faults might be, and they were legion, he yet laid claim to one merit, which was a thorough hatred of cant. Dr. Pessimus Anticant is the name under which one of the most fluent and productive of living novelists has caricatured Mr. Carlyle. The designation would better suit Mr. Lowe. With all his political narrowness and wrongheadedness, one cannot help feeling attracted by the eager combative spirit which makes his figure as conspicuous in Parliamentary strife

as the white crest of the warrior of romance which gleams in the thick of the battle. There is a linear speed about him, a precarious swiftness and confidence, an intellectual velocity, or, perhaps, with reference to his favourite hobby, we ought rather to say, *velocipidity*, which inspires an interest not felt in safer and more cautious persons. As Mr. Browning sings or says, in one of his most remarkable sketches:—

You see lads walk the street
Sixty the minute; what's to note us that?
You see one lad astride the chimney-stack.
Him you must watch. He's sure to fall, yet stands.
Our interest's on the dangerous edge of things.

The principle which leads us to "watch while men in equilibrium keep the giddy line mid-way," is the source of the intellectual zest which Mr. Lowe's perilous ascents and dangerous gambols excite, and of the indifference with which the decorous and respectable jog-trot of Mr. Cardwell or Mr. Childers is regarded. To genius and originality some foibles and follies may be excused.

STATE AID TO EMIGRATION.

THE debate which took place on Tuesday night illustrates very forcibly the different motives which have tended to swell the present cry for emigration. To a certain point we can all proceed with a tolerable degree of unanimity. Nobody doubts that there is a vast amount of distress in the country at the present moment, or that it is the duty of Government to propose any measures calculated to afford a large measure of relief. It is highly probable too, as is often said, that our legislation will in future be directed more than at any previous period to social questions. We have given up the old-fashioned prejudice that such matters should be left entirely to individual energy. If any measure could be proposed with a fair promise of rolling off our shoulders that dead weight of poverty which crushes the lower strata of the population into a condition of lamentable dependence and threatens to destroy their remaining vestiges of self-respect, it would be the worthiest aim of our ablest statesmen to carry it into effect. It is all the more important that we should settle distinctly the principles upon which we are to act, and avoid the political quackery which so often increases the disease whilst palliating the superficial symptoms; and the question now before us is whether emigration comes within the category of legitimate remedies, or is a mere hasty attempt to throw off an evil only to let it return with accumulated energy; or rather—for it is plain that emigration is useful under certain conditions—whether it is a case in which Government can safely supply a great additional stimulus.

Now the first peculiarity to be noticed in the recent debate is that the advocates of emigration have obviously a double purpose in view. Primarily they wish to relieve distress, but they have also the subsidiary intention of consolidating the British Empire. Admitting the advantage of this last process in the fullest sense which its warmest advocates could wish (for we need not for present purposes discuss its precise value), the pursuit of two distinct ends is generally rather awkward. It is notoriously undesirable to mix business with charity; each is a very good thing in its way, but when combined, the charity is apt to be ineffectual and the business unprofitable. The consolidation of an empire and the relief of poverty are in the same way not perfectly consistent. The relief is so far neutralized, because we send people not where their labour is most wanted, but where we can have the greatest claims upon their allegiance. Some of the best fields for emigration in the world, such as the Western States of America or the plains of the Argentine Republic, are thus closed to our surplus population. Moreover, as in other cases of interference with the natural tendencies of commerce, our action is likely to neutralize itself; we are trying to make water run up hill, and in the long run shall find the task beyond our powers. We should have not only to send our labourers to the colonies, but to keep them there. It is said that at the present moment the emigration from Canada to the States is greater than the immigration into it. The only result of our trying to direct the stream in that direction might be that Quebec would be the stepping-stone to the West instead of New York. And even admitting that our colonies are able to retain the labourers whom they receive, it by no means follows as of course that the result will be an increase of good-will. They have let us know with the utmost distinctness that they do not choose to be made into receptacles for our pauperism. We have already, for good or for evil, made over to them by far the greater part of the waste lands within their limits, which they will of course use as seems best for their interests. It is, therefore, plain that an indiscreet or wholesale system of emigration, so far from binding us more closely together, might provoke an explosion similar to that produced by the transportation of criminals. In short, the policy of binding together the Empire, however desirable in itself, combines very awkwardly with the policy of affording relief to the pressure of population. In some cases the results of a large State-aided emigration would be simply nugatory in this respect; and in others they would be most dangerous to the permanent good feeling which is the necessary basis of a real union. And it is to be remarked that these objections apply especially to any large measure intended to give immediate relief in a great emergency. We will not consider the reasons for denying the present distress to be of that exceptional character which would justify us in

adopting heroic remedies. But, even if it were, we could hardly "shovel out" enormous masses of paupers or semi-paupers with any hopes of stimulating friendly feeling in the colonies. On the contrary, it is highly probable that the immediate result would be such an outburst of indignation as would go far to counterbalance the benefits of the relief obtained at home. We may add, that the unfortunate persons so shovelled out would probably find themselves in a condition of as great hardship as before.

The advocates of State aid to emigration appear—so far as they are agreed amongst themselves—to evade this difficulty by proposing, not a spasmodic effort for sudden improvement, but a regulated and permanent system. Mr. Torrens was rather perplexed to point out precisely the class to which the proposed measures were applicable. On the one hand, he did not propose to send out "young, enterprising, and vigorous labourers." These, he said, emigrated on the present voluntary system, and thereby drained the country of a most useful part of its population. Neither, on the other hand, could he wish to send out the paupers. The colonies won't have them; and it is difficult to say that the colonies are not perfectly right; in founding a new country, it is desirable to have good materials, and not persons who are so thoroughly demoralized as to be without the energy and independence necessary for struggling successfully with the inevitable hardships of colonial life. He would, therefore, have the system "exclusively confined to the fathers of families and the middle-aged" who are just struggling above the brink of pauperism, but who might be able to maintain themselves decently in a country of high wages and cheap food. It is evident, then, that in the opinion of an eager and well-informed advocate, the system of emigration would require the exercise of most careful discrimination. We have to take people who are neither bad enough to be useless in every place, nor good enough to be everywhere useful. We must take neither those who are dependent on public charity, nor those who are or ought to be independent, but those who are just on the middle line; whose specific gravity, so to speak, is barely sufficient to keep their heads above water at home, but would enable them to float buoyantly in another hemisphere. That it may be expedient for many such people to emigrate is undeniable; but the difficulty which this imposes is obvious. The need of paying a passage operates to some degree at present as a self-acting test, and sifts from the mass of poor those who have enough energy and independence to be likely to make a good use of wider opportunities. We should, on Mr. Torrens's plan, open the doors a little further, and make it possible for persons a degree lower in the scale to emigrate. But should we satisfy either the colonists or the poor at home? The colonists would feel that the English Government was entering the market, and paying a bounty on the exportation of inferior goods. They would not, it is true, be put off with the worst descriptions, but they would have a larger supply than their natural demand would justify, of damaged, though not utterly spoilt, materials. The application of the system at home would be equally troublesome; as soon as the State begins to pay, everybody about to emigrate will turn his attention to getting his passage-money out of Government, and will, on one pretence or other, try to force himself into the favoured class. We may doubt whether Boards of Guardians, or any official Guardians, would show the discretion requisite for making the best selection of candidates; and we may feel sure that a considerable discouragement would be put in the way of that system of voluntary effort whose marvellous capacities were shown so strikingly in the Irish famine. And, finally, it must be remembered that help to emigration enjoys no exemption from the evils inherent in every form of official charity. When it becomes part of a regular system, it amounts to promising outdoor relief in a new form, and is so far a discouragement to independence. Why should a man save money when, if he falls into distress, the Union or the State will transport him to a country of high wages and cheap food? It would often be a profitable speculation to him to sink into a state of semi-pauperism, and so to qualify himself as one of Mr. Torrens's pet class. The precedent of the Poor-law was alleged by some of the speakers in Tuesday's debate as justifying this form of relief; unfortunately it is only too easy to quote the Poor-law as illustrative of the evils of all forms of official relief.

It is impossible to overlook these objections, and they seem to be fatal to any large extension of Government aid. We do not say, however, that emigration is not a good thing, or that Government cannot do much to direct it into the right channels. We only argue that it is a mode of relief which specially requires a careful discrimination, such as it is very difficult to secure by any fixed system of rules, and which is therefore a more appropriate object for private energy. The colonies are anxious in many cases to secure emigrants of a good class, and Government might help in making their needs more generally and accurately known, and possibly, though no satisfactory plan seems to have been hitherto suggested, in advancing money under certain conditions. But the rough plan of paying many thousands a year in promoting emigration, without sufficient guarantees for judicious management, could hardly lead to anything but disappointment in the long run. One other remark may be added. It is an excellent thing to cherish good feeling between different parts of the Empire and to relieve the heavy burden of pauperism. But, after all, it is not the highest object of statesmanship simply to transfer our burdens on to the shoulders of other people. We should not be content with any policy which does not aim at making emigration unnecessary, or rather a resource for the superfluous energy of the population rather than a relief from

overwhelming misery. We have some sympathy for the poor who declare that our chief object should be to make England a better place for them, and not to help them to escape from it as a scene of irremediable misery. The worst side of such schemes as emigration, excellent as they are within certain limits, is that they rather tend to draw away our attention from a radical cure of existing evils, and to fix it upon schemes for temporary alleviation. There will be always plenty of people willing to go; our highest aim should be to make it worth while for them to stay. Of course we cannot expect that this aim should be speedily attained; but in such discussions it should not be quite put out of sight, as we are too likely to find that our boasted panacea leaves us, after a time, not much better off than we were at our first start.

RAILWAY LIABILITY.

THERE is every sign that the Railways are preparing to gird on their armour against the public. Having, by some process of ingenuity of which is certainly remarkable, convinced themselves that they are very hardly and cruelly treated by the outside world in the question of damages exacted by injured passengers, they are setting themselves diligently to work in order to obtain exemption from the law which makes them responsible for the injuries they allow too often to be inflicted on their passengers. As the Directors are powerful in the country and in Parliament, and as moreover, in this grievance, they have the sympathies of the shareholders, we should not be surprised to see them carry their point in the House of Commons. It becomes, therefore, a matter of public interest to examine the reasons which are put forward for exempting them from the liability which they have hitherto borne.

The partisans of these powerful bodies seem to look upon the world as divided between railway shareholders and idiots. The railway shareholders, according to their views, have hitherto paid taxes to the idiots, and now the idiots must compensate this unjust advantage by letting the railways maim, mutilate, and murder them à *désiré*. The reasoning by which the partisans of the railways seek to establish this conclusion is as curious as will be the simplicity of those who assent to it. The defence of the railways is grounded on an attack against the law making masters liable for the mischief caused by the negligence of their servants. It is argued that it is very unjust to inflict a heavy fine upon a man who may not be rich, because his coachman has driven against another man who either is or has a fair prospect of becoming rich. Is it not cruel, it is asked, that a man who has invested his hard-earned savings in the purchase of job-carriages should be ruined by a fine incurred through the negligence of his servant? And then—the argument proceeds—the hardship of these cases is even less than that suffered by the poorer shareholders in Railway Companies who are deprived of their incomes in order to liquidate the damages incurred through the involuntary neglect or carelessness of servants over whom they can exercise no personal control. It is needless to point out that the cases are not precisely parallel of a private gentleman or cab-proprietor whose coachman drives over a man in the street, and a railway servant whose carelessness or lack of observation upsets a train full of passengers. Still, it is impossible not to recognise the reasonableness of the law which regulates damages in the former as much as in the latter instance. It is clear, we imagine, that when an old man or woman, or a young child, is driven over in the street, some one should be held responsible for it. The idea is old-fashioned, we admit; but we hope it is not yet, though it may soon become, obsolete. We know that there are about 1,300 or 1,400 persons knocked down by carts or carriages in the streets of London every year, and that of these one-sixth are mortally wounded. To many persons this is a matter of course. They have become so thoroughly used to it that they do not trouble themselves either with the griefs of the maimed or the damages of the mulcted. But still these persons may profit by the knowledge that the law of England does not permit people—even very stupid or very poor people—to be driven over with impunity. And as a vast proportion of those who are killed in this way have been labouring for the sake of their families, it does give to these families a claim to compensation for the loss of their natural protectors. Now, as the law is quite in earnest in this matter, and has no wish to play on the feelings of widows and orphans by an illusory hope, it makes the claim for damages on those who may reasonably be supposed to be capable of paying, not on those who are normally insolvent. Those who complain of the liability of masters for acts done by their servants show either a wonderful love of technical precision, or a more wonderful disregard of human life and limb. If they are sincere in their professed desire to protect the latter, they lie under the onus of showing how they could effect their object by penalties which would always be evaded. If they are sincere in their recognition of the claims of the survivors, they are bound to demonstrate the pecuniary value of a maim levied on men of straw. The master is made liable for pecuniary compensation because he ought to engage careful servants. A normally careless servant must be supposed to be acting with the approval of his master, and his master would be justly liable for his carelessness. The punishment of the master may be expected to ensure a certain, if not uniform, carefulness on the part of the servant. It is a poor piece of disingenuousness to contrast the action of the civil with that of the criminal Court. The remedies of the two are not alternative,

but concurrent. The coachman who negligently drives over the costermonger, or the daily tutor, or the governess, is punishable for manslaughter. The coachman's master is liable for the indemnification of the families whom his servant has deprived of their natural protectors. This division of responsibility is apportioned to the means of those on whom it rests. The master who has money pays in purse. The servant who has no money pays in person. Even this assessment fails, at least in London, to give due security to life. Foot passengers crossing the streets are considered by cab-drivers much as rabbits are considered by schoolboys, or landlords by Irish peasants, *i.e.* as objects "to roll over." Despite the fine on the masters, and the imprisonment of the men, the "accidents" as they are called, or the assaults and murders as they ought to be called, go on increasing from year to year. Any alteration in the law which should give additional security to the public must be in the direction, not of lenity, but of severity. So far the argument fails as regards public or private carriages. The criminal and common law combined do not make the masters always engage careful servants, or the servants always obey the orders of careful masters. The inference that both masters and servants would be rendered more careful by the removal of one of two co-ordinate penalties is one which may be dismissed to the realms of paradox.

The extension of the argument to railways shows its weakness still more. Whatever is applicable to the proprietors of omnibuses and cabs is applicable in a still greater degree to the owners of railway carriages. The railway proprietors have powers and privileges which exceed those enjoyed by the owners of hack-carriages. They enjoy a monopoly conceded to no other class. This monopoly and these privileges have been granted on certain defined conditions. In return for what they have obtained from the public, they are to carry passengers and goods with care and caution sufficient to prevent all accidents which human care and caution can prevent. It surely is no hardship that, when they fail to do this, they should be amenable to penalties of the same kind as the masters and servants of humbler and less privileged conveyances.

When the advocates of the railways apply to railway accidents the same argument which they use in reference to cab accidents, founded on the injustice of punishing the master for the servant, they can only expect the same reply. It is the business of the Directors to issue the best instructions they can, to employ the best servants they can, and to give them the greatest possible facilities for carrying out these instructions. It would not be difficult to show that default in any one of these particulars causes accidents, and when this default is made the Directors are to blame. If the instructions they issue are obscure or contradictory, or are not steadily enforced, it is owing to their own stupidity or neglect; if the servants they employ are idle or inattentive, it is again owing to their own indifference or inattention; if the men are overworked and enfeebled, it is because the masters are wickedly parsimonious or cruelly inobliging. But obscurity of instructions, blundering rules, tolerated neglect of rules, exhaustion of servants, and inattention to signals, are the prevailing causes of railway accidents.

The opportune appearance of a Report to Parliament forbids the occurrence of these "casualties" or the lessons they teach to be forgotten. Let us take some instances at random. The accident last August on the Oldham and Rochdale section of the Lancashire and Yorkshire Railway injured seventeen passengers. In this case every rule laid down in the time-books was contemptuously disregarded. A certain interval of time was to expire between the starting of two excursion-trains; this was practically disobeyed. The speed of the trains was not to exceed twenty miles an hour; that of one of them did exceed thirty miles an hour. Again, each train was to have "two good patent breaks, one in front and one at the end of the train, and two good breaks in the centre of the train." Only half the number of breaks prescribed were used. These two last flagrant and unrebutted violations of the Company's own laws caused the collision. Another collision at Welwyn Junction, which led to the deaths of three passengers, was in part caused by the usual disobedience to published rule. On this Colonel Rich makes the naïve remark, "The system of issuing instructions to the servants of Railway Companies, which are not observed, is wrong." A collision on the Great Southern and Western Railway of Ireland, which injured twenty-one passengers, was due to "the engine-driver's misconduct." In several other cases the incapacity or misconduct of the railway servants, or the lax regard to the railway rules, is stated to have caused the wounds, disablement, and deaths of passengers. But it is small comfort to the victims or their surviving relatives to be told that they have suffered through the neglect of a signalman or the stupidity of a driver. They know, and we all know, that by taking reasonable precautions the accident might have been prevented. When, therefore, a passenger is killed, or maimed for life, his friends or executors have a natural right to look for compensation to the people who were primarily responsible for the accident. What the compensation ought to be is a question wholly for a jury to decide. It may happen that the servant, who is its proximate cause, was wildly reckless and wantonly disregarded rules and signals. In that case he is triable in a criminal Court, but his masters are not the less liable for having in their employment a man unworthy of the trust they repose in him.

The grand point, after all, on which the friends of the Directors insist, is the disproportion between the penalties levied and the

fares charged. A passenger may have paid only 1*l.* as his fare, yet he or his executors may recover 1,000*l.* from the railway as compensation for injuries sustained. This is denounced as preposterous. According to this mode of reasoning, the railways ought to have the privilege of mangling for a nominal sum the passengers who pay the very smallest fares. Probably there are no smaller fares than those of third-class passengers between any two contiguous stations on the Metropolitan Railway. According to the advocates we have cited, one of these third-class passengers maimed for life ought to obtain only damages strictly proportioned to his fare. Therefore, a man who, in full health and strength, earned a decent competence for his family, would, after a severe accident, be entitled to three or four pounds compensation, and no more. We commend this view of the subject to every man and woman in the kingdom whose subsistence depends on their daily toil, and who are obliged to travel in railways. They will estimate aright the proposed change in the law which would measure their claims, not by the consequences of the injury which they had sustained, but by the repugnance of wealthy Companies to compensate them. The very fact that such a plan is urged shows how dangerous it would be to take this class of questions out of the hands of juries.

If, in a defence which is impudent enough throughout, there can be said to be any plea more impudent than another, it is the allegation that time is wasted on these cases of compensation, and perjury committed to establish these claims. We should like to know from the gentlemen who thus argue what they conceive to be the function of a Court of justice if it is not to try questions of contract and tort? These cases involve the consideration of a broken contract and an injury done. Since what time has it become superfluous or inappropriate for Courts to try such questions? When was it first deemed a waste of public time to investigate the facts which had either paralysed men of energy and industry into premature imbecility, or had plunged their families into sudden poverty? That the facts are not easy to unravel, that they are obscure, that the testimony brought to their elucidation is often exaggerated and contradictory, we fully admit. But in what important case that affects the interests and feelings of mankind is there not obscure and exaggerated evidence? Will they who prefer this plea advise the Courts to discard all ejectment suits, all actions involving questions of pedigree, and all relating to conjugal infidelity? Will they take the assessment of damages out of the hands of juries in all other questions of tort? Unless they do so, their objections to these compensation cases rest upon a hollow and frivolous pretence.

The facts of the case are simple. Railway property is less valuable than it ought to be and than it was expected to be. Multitudes of innocent shareholders are suffering from a hopeless depreciation of their property. In order to prop up their dividends, the Directors wish to get rid of a liability which the English law justly throws upon them as common carriers; and henceforth to have full license to maim, smash, and blow up their passengers for a nominal consideration. From the moment that Parliament is weak enough to give them an immunity never yet claimed by any carrying company, they will starve their service still further, will issue rules which they know cannot be obeyed, and censures which they know will be derided; and, after inflicting wholesale injury on their wretched passengers, will snap their fingers at the victims whom they have mutilated or pauperized, no less than at the public which they have defied and the Legislature which they have bamboozled. It remains yet to be seen whether any body of men, however wealthy and however influential, can succeed in realizing such pretensions as are now put forward on behalf of the Railway interest.

ST. GEORGE'S, HANOVER SQUARE

A VERY odd document has been published in one of the newspapers relating to the internal affairs of the parish of St. George's, Hanover Square. It is in the form of a communication, addressed apparently to the Churchwardens of that famous and fashionable parish by some very distinguished personages, all of whom we assume to be parishioners. The signatures comprise a whole host of peers and peeresses. Sir Robert Phillimore heads it, and he is followed by Lord and Lady Londesborough, the Duchess of Beaufort, Lords Dartmouth and Carnarvon, Lord and Lady Salisbury, Lord and Lady Bath, Lord Wharncliffe—but we cannot transcribe the *Court Guide* or the *Peerage*. Suffice it to say that the communication is most numerously and most respectfully, and, if it adds greater weight to it, most aristocratically, signed. The difficulty we have about the document is that it is a reply to something else which is not before us, and of which we can only conjecture the purport. The noble lords and ladies address their communication to the Churchwardens of St. George's, who, as far as we can make out, have been sending round a begging letter of some sort respecting "the present deplorable state of St. George's Church, and the diminished and diminishing funds from which the revenue of the incumbent is supplied." It seems, therefore—but we speak under possible correction—that the pew-rents of St. George's have fallen off, that the church is deserted, and that the incumbent has become thereby impoverished. Possibly, also, the fabric wants repairs; and what we suppose the Churchwardens have been asking the parishioners to do is to restore somehow or other to the Rector his old revenue, and to

place the fabric in good order. The memorialists, in reply to the Churchwardens, do not exactly say that they intend to do no such thing, but with very inconvenient minuteness they proceed to inquire how it comes to pass that such an appeal in St. George's, Hanover Square, should have become necessary, and whether there are not some inveterate evils at work in this sumptuous parish which have brought it to this state of impecuniosity; whether those evils can be cured, which they say can be done; and if they can be cured, whether they ought not to be cured forthwith. Into the very simple and ordinary remedies proposed by the memorialists we shall enter presently; but first we may say something about St. George's, Hanover Square.

A Duke in the Bankruptcy Court scarcely presents a more tremendous shock to the feelings than St. George's, Hanover Square, touting for guineas to pay its parson and pew-openers. One of the Churchwardens of St. George's, Hanover Square, always used to be a peer of the realm. Such we have heard is the case now. It was considered in old times the right thing for the most distinguished parishioners in these very crack parishes to take this office; and we may be wrong, but we believe that the King was Churchwarden of St. Martin's, the original parish in which St. James's Palace was situated, and gave the organ. Certainly the Establishment must be nodding to its fate when the Rector of St. George's, the apostle to the genteels, is reduced, as he appears to be, to the apostolical poverty of the apostle to the Gentiles. Of course we could the more fully appreciate the destitution of the impoverished parson of St. George's if we knew the exact figures of "the diminished and diminishing funds from which the income of the incumbent is supplied." Ye have robbed me, seems to say the much-enduring man, in fees and offerings; which may be quite true. But the question occurs whether, in the palmy days of St. George's, the Rector did not get at least a full, if not an excessive, share of marriage fees. St. George's used to be, and to some extent still is, the fashionable church for weddings of quality folk. But if all the fine folks who used to be married in this fashionable fane were really parishioners, we can only say that matrimony was exceptionally popular in the parish. Circumstances have probably diverted the tide of fashion, which has set westward; and it is now not considered *de rigueur* for members of the peerage always to enter into the holy estate in this one church. St. George's and its clergy, it was thought, used to marry not only their own parishioners, but everybody else's parishioners. It is quite possible that the marriage fees at this church were at one time enormous; but it is by no means so certain that in all cases they belonged of right to this church and its clergy. Then, we dare say, in common with every incumbent in London, the Rector's income has been diminished by closing the graveyards. If, therefore, the Rector's income has, as we dare say it has, fallen off, the Churchwardens are, we have no doubt, prepared to say whether the original income was derived from altogether legitimate sources. No worse thing, we apprehend, has befallen the Rector of St. George's than has befallen the rector of every mother-church in London. Huge parishes have been divided, districts and sub-parishes have been formed; the population has been placed under new shepherds in new churches, and the fees and offerings have followed. Unless we are very much mistaken, St. Martin's, St. James's, Piccadilly, and St. Marylebone could tell the very same tale of diminished rectorial income which is so piteously told by the Churchwardens of St. George's. Indeed, as far as this particular matter goes, the Rector of St. George's is in a rather better position than his neighbours. The old mother-parish of St. George's is dotted about with several proprietary chapels and churches, to which the right of celebrating marriages has not, we suspect, been given. The mother-church of St. George's, according to the Clergy List, still has a population of 22,000, and we can, without figures, hardly appreciate, as at present imperfectly informed, the destitution under which its pastor, according to his Churchwardens, suffers. Thirty years ago St. George's, Hanover Square, stretched its princely sway from Oxford Street on the north to the Thames at Millbank on the south, being bounded eastward by Regent Street, and westward by Kensington Gardens. We believe that all Belgravia and Pimlico have been detached from the mother-church of St. George's for spiritual purposes, and there are, we suppose, ecclesiastical districts attached to the church in Regent Street and to the new church in Down Street. But at the present moment we are disposed to believe that this bankrupt mother-church of St. George's still claims to be the spiritual home of the devotees in such insignificant and impoverished places as all May Fair, Grosvenor Square, Berkeley Square, Brook Street, Park Lane, and Piccadilly. At any rate the *Court Guide* informs us that these are the places in which the memorialists dwell, and we assume that they would not have answered the Churchwardens had not the Churchwardens applied to them, and that the Churchwardens would not have applied to them had not these very distinguished folk been supposed to have duties towards St. George's.

Now we must say that in the interests of the public this little correspondence is a most deplorable matter. We are accustomed to begging letters from the poor clergy down East. Not a post reaches some of us which does not contain a pathetic appeal for aid to a "struggling cause" somewhere in Wapping or Shoreditch. We are asked to build parsonage-houses for the priest of Sludgetown in the Fens, or to assist in repairing the fabric of Breezeley on the Moors. But we must have come to the end of all things if Grosvenor Square can't—and still worse if Grosvenor

Square says plumply that it won't—supply the Rector of St. George's with the meat and raiment which is sufficient for him. The Irish Disestablishment, the abolition of compulsory Church-rates, the Union of Benefices Act—not one of these signs of the times is so ominous as the Rector of St. George's sending round the hat. How are the mighty fallen! St. George's, Hanover Square, *in formâ pauperis*! It takes away one's breath. The late Dean of — well, never mind, let us say the present Rector's predecessor—must have turned in his grave if the intelligence of the Churchwardens' begging letter has reached his resting-place. Here now is the Bishop of London's Fund painfully struggling, with more or less success, to "overtake the spiritual wants" of such dirty, dingy dens as Haggerston and Poplar, and here is a wail of poverty and distress and ruin breaking out from Grosvenor Square and May Fair! By all means let us have another Bishop of London's Fund; let us send down to the London Docks and Whitechapel, and ask for contributions from the faithful for their destitute brethren in Berkeley Square and Piccadilly. A cry from Park Lane can hardly be disregarded in Spitalfields.

We have said that the Churchwardens of St. George's have appealed to their fellow-parishioners on the ground that the parishioners have duties towards their parish and parson. The parishioners, in language which we regret to have to characterize as the bathos of stupidity and common sense, reply that the parish and parson have duties towards the parishioners. Judgment, they seem to say, must begin at the House of God, and the House of God, at least in St. George's, has something to answer for. The parishioners say that the church of St. George's is not open for many attractive week-day services; that the services are bad, and bald, and that there are few of them; that the large high pews deter and disgust worshippers; and they produce some instances, not very judiciously selected, in which a change in these respects has filled deserted churches, has restored wanling finances, and has remedied the very evils the results of which the Churchwardens proclaim with such touching pathos. There is nothing new, we are bound to say, in the arguments or pleadings of the parishioners, and if they had not selected one of the most advanced and extreme churches in London as a proof of the success of another system, they would have done more wisely. It has all been said a thousand times by a thousand tongues. The curious thing is that it is said in this particular quarter, and that this vulgar sort of talk, which you hear in mere shabby middle-class crowded congregations wherein people are thrown on their mettle, is addressed by lords and ladies and honourables and right honourables to the authorities of St. George's. The serene and calm atmosphere of this house of religious drowsyhead to be so rudely assaulted; free and open seats and the offertory and hymns and choral services, and down with the high pews, in Hanover Square. Versailles shuddered and shivered to the core when first the pair of shoestrings trailed on its lordly floors; but St. George's to be saluted with this version of "Sleepers, awake!" We have, however, a word to say to the memorialist parishioners. They are of course quite right, very sensible, and very practical; but they are not quite people of the world. St. George's, Hanover Square, we suspect, if it is at all like many other old-fashioned parishes, has a strong body of latent obscurantism and dull immobility in it. We can quite believe that the Churchwardens will have counter memorials, if they and the Rector—which they are not very likely to do—adopt the hints of the memorialists to-morrow. Vestries and Churchwardens have a solid, dull dread of innovation, and possibly they think that St. George's as it is realizes the Beauty of Holiness and the perfection of Anglicanism. The memorialists will succeed in tumbling an old house over their ears; whether they will succeed in building up a better is a question which they will have to solve. Meanwhile, since the Rector and Churchwardens have condescended to read the memorial, we shall look with interest for their reply.

TEXTILE FABRICS AT THE INDIA MUSEUM.

THE Home Department of our East India Government continues true to the liberal and judicious policy of the last few years in relation to the interests both of trade and of the fine arts. To this end an admirable use has been made of the excellent collection of rich and curious objects illustrative of native skill and taste which was first set on foot by the Directors of the East India Company half a century ago, and which became the nucleus of the extensive and valuable series, wholly without a rival in the world, now forming, as the East India Museum, one of the most interesting and instructive of our national collections. The International Exhibition of 1851 was the means of calling the attention of the English public to the store of artistic patterns as well as to the standards of pure taste which formed a traditional treasure among the native races of the East. A new revelation of truth in design, coupled with unity and harmony in colour, seemed to burst upon the European mind. Few perhaps were aware at the time how largely the textile arts of the East had entered into and leavened the production of our multitudinous rich and tasteful fabrics, as well for domestic use and ornament as for ritual purposes, during the middle ages of Europe. Many of our readers will have been surprised, on becoming acquainted with Dr. Rock's learned dissertation reviewed in our columns last week, to see to how great an extent the dawning appreciation of the models and types of Oriental art is but a revival of tastes on which was mainly based the purity and elegance of the mediæval

looms. The Exhibition of 1862 was still more conspicuous for the richness and beauty of its Indian Court, and the occasion was wisely taken by the heads of our Indian department to amplify and enrich the museum of native products. In the Paris Exhibition of 1867 a magnificent series of woven stuffs, embroideries, lace, and other textiles was brought together from the length and breadth of our Indian Empire under the skilful care of Dr. Forbes Watson, a large portion of which, including most of the distinctive marvels of native work, have found a permanent home in the Museum now housed and admirably arranged, under that gentleman's auspices, in the upper range of rooms at the East India Office.

Two years or so ago a well-devised scheme was set on foot under the sanction of the Secretary of State for India in Council, for making these valuable specimens more generally available for the purposes of art-culture and the encouragement of trade. A kind of working catalogue was the mode adopted. Samples of the most important fabrics were collected to the number of seven hundred, and were distributed into eighteen large volumes, each set being an exact duplicate of the rest, and uniformly ticketed with numbers for the purpose of reference. These eighteen volumes, each illustrating in a convenient manner some branch of Indian manufacture, were distributed in this country and in India among as many of the leading towns or seats of industry—thirteen in this country and five in India—including, besides the three Presidencies, the cities of Kurrachee, Allahabad, Lahore, and Nagpore. The object in view in this design was twofold. To England there would accrue the benefit of seeing what tissues suit the native market, and what principles of design and manufacture must be observed in all attempts to introduce among our Eastern customers the products of our home industry, furthered by the wider advantage of raising and purifying the national standard of taste by the study of the truest and noblest patterns. On the side of India there would be the gain of having the wants of her population supplied by a country where the use of machinery turns out products far more cheaply than the traditional hand labour on the spot. Two hundred millions of people might draw their supplies of clothing, scanty though the garments of the majority may be as yet, from the low-priced looms of Lancashire, opening at the same time an inexhaustible market to the enterprise of our cotton-spinners. Even the more costly and tasteful fabrics of silk, or metallic tissue, might, it was thought, be imitated, or adapted to the processes of home manufacture, and not a few of the tasteful and serviceable articles of Indian ornament or use be naturalized amongst ourselves.

A still more extensive and promising development has been given to this praiseworthy effort within the last few weeks. Advantage has been taken of the meeting in London of the Associated Chambers of Commerce, in order to present to the eyes of that body something like an idea of the stores of invention, together with the openings to enterprise, embodied in this magnificent collection. A selection of fabrics, carpets, muslins, shawls, samples of silk and cotton stuffs, laces, khinkhobs, gold and silver tissues, and other choice varieties of hand or loom work have been classified for inspection or hung around the walls. Never could our manufacturers or designers have had so rich a feast of suggestive subjects, or so copious a choice in point either of material or design for their guidance in dealing with Eastern customers. Those who have been privileged to go through this select and unique series of works will not readily forget the treat, or suffer the impressions made upon their taste to die away. There are the pure creamy white and crimson carpets and rugs of Hyderabad, the "woven wind" and "morning dew" of Dacee, which we can easily fancy the cow licking up as its gossamer-like filaments lie spread upon the grass. There are the webs of Cashmere, a shawl of which will pass through a ring, its price of some two hundred guineas representing the whole labour value of a man's lifetime. Most curious of all is the art of part-dyeing peculiar to Jeypore, a few threads being picked out by the fingers, with incredible patience, in little tufts, following the pattern intended, and wound tightly round, so as to keep those particular tufts from the action of the dye in dipping. Repeating the process with each colour in turn, any variety and number of corresponding spots will be left upon the surface of the tissue. The fine threads wound round each tuft being finally plucked out by hand, a parti-coloured pattern of the most varied kind is the result, the cost of which naturally corresponds to the intense toil bestowed upon it, even where labour is so cheap as it is among the women of Jeypore. The stuff averages a guinea a yard. A second-rate imitation of it is produced by the Parsee females of Bombay. We can of course never expect to see a process like this reproduced amongst ourselves.

The mode in which it is now sought to utilize this unexampled series of products lies in an extension, on a greatly enlarged scale, of the scheme of patterns adopted two years ago. Instead of seven hundred samples, to which the former set of specimens was limited, a far larger number, of greater size, will be combined into a series, presenting in a convenient form what will prove a very complete grammar of Indian ornamentation and workmanship, in so far as textiles are concerned. The charge at which each of these sets will be submitted to the public will be 150/-, that being the estimated expense of production, irrespectively of the original cost of the specimens, which is borne by Government, often amounting, in the case of the more richly decorated examples, to as much as a guinea, or even four guineas, a yard. The memorandum drawn

up by Dr. Forbes Watson to accompany this specification enumerates thus what the complete collection obtainable for the above sum will comprise:—

"One thousand samples of the actual material, accompanied with the requisite practical details as to the length, width, weight, and cost of the fabrics from which the specimens were originally cut.

"Photo- and chromo-lithographic plates, exhibiting, in the cases where such is not shown by the actual sample, the complete pattern of 400 out of the above collection of 1,000 specimens—the whole of the specimens and plates being bound up in about 30 large volumes, enclosed in a cabinet.

"Two hundred and forty plates, selected from the best art examples in the above series of illustrations, mounted in 30 large glazed frames suspended round a central pillar—an arrangement which answers admirably both for economizing space and for facilitating the examination of the different subjects. The frames are *double*, and, when set up, will present upwards of 480 superficial feet of glazed exhibiting surface.

"The floor space occupied by the pillar and its projecting frames is a circle, the diameter of which amounts to about six feet.

"It is proposed to issue the work in sections as completed."

It may be hoped that our schools of art, our leading manufacturers, and Chambers of Commerce which represent the various interests concerned in products of a tasteful and marketable kind, will respond to the invitation here made, and by their adoption of the fine specimens of manufacture here submitted to them at really a nominal rate, will both second the efforts of the Indian authorities and consult the best interests of these important branches of art at home. As professed guardians of the interests of trade, no less than as claiming to embody the national spirit of enterprise, it is especially to the Chambers of Commerce that we may reasonably look for co-operation in this matter. To draw closer the reciprocal ties which connect the markets of the East with those of our own country is, independently of abstract considerations of high art, a question of the deepest economical import. Two dangers alone, of opposite character, strike us as attending upon an enterprise for fusing to the present extent the study and practice of Indian and home art. There is the risk on the one hand of aiming at mere imitation, by mechanical or other means, of the distinctive results of Oriental taste and usage, ending in a vulgar and spiritless issue of utter shams and Brummagem reproductions. For the truthful, harmonious, and expressive combinations which now strike the eye in Indian fabrics, as musical chords delight the ear, we may get but gaudy, unmeaning, and discordant imitations, from which both soul and purity have fled. On the other hand, there is the tendency, even now manifesting itself, to bring down the traditional simplicity and native character of Indian manufactures to a poor and hybrid mixture with European ideas; patterns conceived in the conventional spirit of trade or of everyday life at home, being sent out for elaboration by the delicate processes and low-priced manual skill of Indian workmen. From such unnatural and unholy tampering with the integrity and simple purity of Eastern standards we would hope to see the national conscience free. Yet within the true limits of wholesome study and mutual interchange of requirements we gladly welcome an enterprise which seems to us charged with the best interests both of our own and our Eastern manufacturers.

THE ROYAL FORESTS.

A RECENT discussion in the House of Commons shows a disposition to apply to the New Forest the same treatment which was applied to forests nearer London thirty years ago. The complaint is made that both Windsor and the New Forests have been for a long time past almost entirely unproductive as far as the country is concerned, because it is no longer necessary to grow timber for men-of-war. The inference seems to be that one at least of these forests ought to be cleared and cultivated, which is exactly what was done with the forest of Hainault, adjoining Epping Forest, when the utilitarian view of the value of these properties of the Crown was the only view recognised by Parliament. The advocates of the enclosure of the New Forest do not, however, carry utilitarianism to its full extent. They suggest that if this forest or part of it were enclosed the means would be provided of keeping open other forests nearer London. The New Forest contains 89,000 acres, of which 63,000 acres belong to the Crown, subject to rights of common. As regards the greater part of the remainder the Crown has rights which have ceased to be directly valuable. These rights concerned either the planting of timber or the keeping of deer; and the keeping of deer has been abandoned, while the planting of timber has become of questionable utility. A Committee of the House of Lords lately investigated this subject, and they stated in their Report that the interests of the Crown and of the commoners of the New Forest were constantly at variance, and that in their opinion a Commission ought to be appointed to allot to the Crown a certain part of the forest free from all common rights and to leave the remainder to the commoners. This proposal has been recently supported in the House of Commons by the identical arguments which were used in former years in favour of a general Enclosure Act. It is said that there are labourers out of employ, and that England does not raise enough food to supply its people. It is added that the New Forest now maintains a poaching, predatory, and idle population, and that it

would afford charming sites for villa residences. The speaker is not insensible to the beauty of woodland scenery, but he thinks it would not suffer by being intermixed with breadths of wheat and turnips. In fact it is now proposed to do with the New Forest that which was done to a great extent with the forests of Epping and Hainault, and which we are now disposed to wish was undone. It would be an undertaking worthy of the Government to give effect in due proportion to the principles which now conflict in the management of the Royal Forests. By a judicious system the demands of the population of the metropolis and other large towns might be satisfied without adding to the burden of local or general taxation. We are informed by Mr. Stanfield that he and one of his colleagues had begun to consider in the vacation what could be done with the New Forest, and they properly determined that the first thing was to see the New Forest, which they forthwith did. They spent a day or two in exploring its beautiful scenery, and they came to the conclusion that there was a good deal to be said both for meddling with the forest and for letting it alone. It is urged, on the one hand, that a great part of the soil is for agricultural purposes almost worthless; while, on the other hand, the farm called New Park, which was taken out of the forest, pays a good rent and raises heavy crops, although, as Mr. Stanfield suggests, this farm has been selected for the expenditure of a large capital, and therefore perhaps is not a model for the ordinary farmer.

It may be useful to inquire how the forestal rights of the Crown have been dealt with in the New Forest. This forest differs from Epping Forest in the important circumstance that the soil of a large part belongs to the Crown, subject to commoners' rights, whereas in Epping Forest the Crown has only its forestal rights. An Act of 1851 provided that the deer should be removed from the New Forest, and it was expected by the commoners that the forestal rights which were established for the protection of the deer would cease on their removal. This subject was inquired into by the Committee of the House of Lords, and their Report may deserve consideration in reference to Epping Forest. The principal rights mentioned are the fence month in summer and the winter heyming, or right to exclude the commoners' cattle from November to April. "These," says the Report, "are remnants of the old forest laws, and were originally instituted for the protection of the deer, and the commoners supposed they would cease when the deer were removed." The Report goes on to say that this probably would have been the case but for a special enactment of the time of King William III. The commoners have no substantial grievance to complain of, so long as the Crown does not insist upon the exercise of these forestal rights, but their existence would be a matter of importance if the forest should be enclosed, and the Committee were of opinion "that the question should then be determined on equitable considerations." The Committee recommended the appointment of a Commission for the purpose of allotting to the Crown certain portions of the forest in fee, freed from all common rights, and leaving the residue to the commoners to deal with in such manner as they might think best. In fact, they recommended exactly the process which was applied to Hainault Forest, and which gave the Crown a compact estate of 2,000 acres instead of undefined rights over a larger surface. It will be observed that the Committee of the House of Lords made no reference to any supposed right of the public to range at pleasure over the New Forest, and as this forest is distant eighty miles from London, and its beauties are little known, the Crown and the commoners would probably be left to make their own arrangements for the enclosure of the forest undisturbed. But we cannot help thinking that the time has come for endeavouring to establish some general principles for the management of the Royal forests. Originally they were considered exclusively as places for the enjoyment by the sovereign of the pleasures of the chase. Afterwards great value was attached to them as nurseries of oak timber for the navy. At a later time a department of the Government treated them on the principle of either planting trees or cutting them down, according as a direct and immediate pecuniary profit could be best obtained. It was under this system of management that the forestal rights over Epping Forest were sold for small sums of money, which we should say was the very worst way of dealing with those rights that could possibly have been contrived. Lately considerations of the health and recreation of the inhabitants of large towns have been brought into deserved prominence, and it may be expected that what is left of Epping Forest will by some means be preserved for the enjoyment of the dwellers in the east-end of London. It might be satisfactory, however, to consider whether proximity to the metropolis is alone to decide whether a forest is to be destroyed or preserved. If historical associations are to be regarded, the New Forest has strong claims to be let alone, and as it is already Crown property, there is no such difficulty in preserving it as has been felt in the case of Epping Forest. There is happily a reaction against the intense utilitarianism of past days, and Parliament would probably feel that all these forests might properly be preserved as far as possible as national domains, which should at once commemorate the former history and symbolize the present greatness of England. But if less than the whole is to be preserved, it would be better to give up part of the New Forest for the sake of Epping Forest. It would be an arrangement which even Mr. Lowe could hardly disapprove, to sell part of the former to acquire for the Crown full right over the latter. It has been proposed by Mr. Fawcett to employ the forestal rights

of the Crown over Epping Forest as a means of keeping it open to the public, as it has heretofore been. If the Government act upon this suggestion, it will be a good thing for lawyers, and specially for those who practise upon the Home Circuit. If there is no other sport to be got out of Epping Forest it may at least be made to yield a crop of lawsuits. But probably few lawyers will be able to feel more confidence than the Solicitor-General expressed in the House of Commons as to the result of attempts to enforce these forestal rights for purposes other than those for which they were originally established. The Government has promised to consider what can be done to attain Mr. Fawcett's object without pledging itself to adopt his method. We would suggest that it should review the condition and management of all the Royal forests, and not adopt as regards any one of them a method which may be condemned hereafter. The penny-wise and pound-foolish system has been sufficiently applied in the case of Epping Forest, and let us hope that the New Forest may be preserved from it. We must remember that when the beauty of these forests is destroyed it cannot be restored. If we have any love for art, much more ought we to love nature, of which these forests are the choicest work. They are worth preserving if it were only for the sake of enabling posterity to understand the opening of *Ivanhoe* and many other passages in English literature. We have almost destroyed our rivers. Let us have the wisdom to spare our forests.

PERFECT UNANIMITY IN COUNCIL.

WE have been assured over and over again, and in every form of vehement asseveration, by high infallibilist authorities, and especially by Archbishop Manning, of the perfect unanimity which reigns among the assembled bishops at Rome. And the assurance has been repeated, with a confidence which might almost shake the sturdiest disbelievers in Ultramontane rhetoric, in the teeth of appearances which certainly did look to the profane like a *reductio ad absurdum* of the alleged harmony. But a spokesman has now come forward whose testimony the infallibilists will hardly be prepared to challenge, whatever they may think of his discretion or his Christian charity. Nobody affects to doubt that Mgr. Dupanloup is the leader and inspiring mind of the Opposition. If, therefore, there is no real difference between the rival parties, and they are only engaged in a little ecclesiastical tournament for the edification of the faithful, and just to show what seemingly hard blows can be exchanged between combatants who have no cause of quarrel, and are ready, as the children say, to kiss and be friends again as soon as the spectacle is over, there must at bottom be the most perfect understanding between Bishops Dupanloup and Deschamps. The Orleans and Westminster Pastors, whatever contradictory meanings they may bear to the eyes of the uninitiated, must in reality be only various ways of stating the same identical doctrine. Perhaps there is some theory of "non-natural interpretation," intelligible to the refined orthodoxy of the *Dublin Review*, though hardly level to the capacities of the common herd, whereby the two documents can be reconciled. But the new-comer who has just thrust himself into the witness-box uses language which even the subtlest of scholastic sophists would find it difficult to harmonize with this charitable hypothesis. And as the Bishop of Laval expressly assures us that he is prepared to fall dead directly after giving his testimony, and is speaking as in the presence of the Supreme Judge of quick and dead, it would be neither rational nor courteous to suppose that he is paltering with words in a double sense and not telling us his true mind on the subject, especially as his evidence is given quite unmasked. And his mind evidently is that the Bishop of Orleans—to adopt strictly traditional phraseology—is the firstborn of Satan, and must expect to fare accordingly. To guard against any danger of misrepresenting the writer's sentiments, we will give the *ipissima verba* of his letter, and leave our readers to judge for themselves. If they are inclined to think that the angry prelate has dipped his pen in M. Veuillot's ink, we are not prepared to dispute the point, though there is in the episcopal maledictions just that little *soupon* of unctuous reserve, exceeding bitter in its piety, which is wanting in the lay journalist's more vulgar form of cursing. He hints, rather than asserts, the fiendish wickedness and future perdition of his anti-infallibilist brother. But his hints are sufficiently intelligible, and are obviously intended to be understood.

The "venerable and saintly bishop," as the *Tablet* calls him, begins by observing that "the minds of men in his diocese are still occupied with the question of Mgr. Dupanloup, and it is time this should be put an end to." After which somewhat ominous preface he rushes in *medias res* in the following trenchant fashion:—"I protest before God, and as one about to appear before His judgment-seat, that I would rather cease to live, fall dead at this moment, than imitate the Bishop of Orleans in the course which he is now taking." We are of course at once reminded of another "false apostle" of whom it was pronounced on high authority that he had better never have been born. But the "saintly" prelate is not content with this indirect indictment against his episcopal colleague. Though the minds of his spiritual children of the diocese of Laval have been long "occupied"—one is led to infer almost exclusively occupied—with "the question of Mgr. Dupanloup," their worst fears and surmises have fallen terribly short of the truth. "You do not know," proceeds their "venerable" pastor, "what he is doing here, you do not know what he is saying, and what his adepts (?) are doing and saying. *I know it. I hear*

it with my ears, and see it with my eyes." The bishop evidently thinks there is something remarkable in this application of his visual and auricular organs. "No! It would be better to die, and to die at once, than to lend a hand to plots and manœuvres which no language can describe." This is tolerably strong language, but even saintly and venerable personages are sometimes betrayed into a style of what may be termed "unadorned eloquence" in their confidential communications. It was perhaps an indiscretion to reveal these innermost yearnings of holy indigation to the rude gaze of an undiscerning public. After all it may be no fault of the saintly prelate if our rose-coloured illusions about perfect unanimity in the Council have been so cruelly dispelled; there may have been no divergence of view, only a little friendly controversy—the concerted display of a fictitious spiritual gladiatorialship—between the chief pastors of Orleans and Laval. Alas! even this last hope is rudely shattered. The bishop "insists" on the immediate publication of his letter in the *Semaine religieuse*, and is ready to "take the whole responsibility" of the step on himself. He is indeed indifferent "to places outside his diocese," but as he desires "this writing of mine to be propagated to the utmost possible extent throughout my diocese," and has selected the columns of a newspaper as the most effectual vehicle for the attainment of his wishes, he can hardly, to say the least, have been very solicitous to prevent "this writing of mine" being "propagated," as in fact it has been propagated, throughout Europe. Some lingering apprehension of a possible awkwardness resulting from this little display of episcopal amenities does seem to have occurred to his mind; for he expresses his "very humble" hope that, if the publication of his letter should make it impossible for him to show his face again in France, the Holy Father will allow him to die in Rome. Certainly that is the least the Holy Father can do for one who so faithfully re-echoes his own sentiments about the Opposition; for he has lately, according to the *Débats*, assured one of his Cardinals that "the German bishops may become schismatics if they like, as the Church would thereby be purified." To be sure, the last purification of the kind the Church underwent—which was on rather a large scale, and virtually narrowed Catholic to the limits of Latin Christendom—was a questionable boon to Rome, as it strikes an ordinary observer. But the Pope ought to know his own business best. And as addresses of congratulation and sympathy to Dr. Döllinger have poured in from all parts of Roman Catholic Germany since the appearance of his vigorous critique on the Infallibilist petition—to say nothing of the King of Bavaria's autograph letter—it might be better to make a clean sweep of such inconvenient adherents altogether. Nor can France, after Count Daru's despatch, be considered a much more eligible ally. If the German bishops are to become schismatics, and the French infallibilist prelates make France too hot to hold them, while even the Polish bishops have joined the ranks of the Opposition, it is not easy to see where, with Spain disaffected and Italy in open mutiny, the Father of the Faithful is to look for national orthodoxy, unless it be to the Emerald Isle. And, as he has excommunicated the Fenians, there might be some difficulty even there.

Meanwhile in Council matters seem advancing to the final crisis. The new *Schemata*, nominally designed to provide for the more expeditious conduct of business, are also capable of being used with fatal effect for arresting the flood of Opposition oratory. To substitute written for spoken comments on the proposals of the Court may save a good deal of time; but it has the further recommendation of depriving the adverse criticism of all practical influence. The Committees who sit with closed doors are likely to make short work enough of the most telling strictures of Strossmayer or Dupanloup on their handiwork, and will take good care that the outside world shall hear nothing about the matter. There is indeed to be a debate on the amended propositions, but even then there is an ingenious device for bringing it to an abrupt conclusion whenever ten Fathers signify in writing their conviction that it is being needlessly protracted; and meanwhile the presiding Cardinals can at once silence any speaker who is, in their judgment, travelling beyond the proper limits of the question. Some such regulations there must be no doubt in all public meetings, but in the hands of an unscrupulous oligarchy, who can always command a majority of votes, and are indifferent to the force of arguments which appeal to conviction and not to fear of immediate consequences, it is possibly open to abuse. And when the problem, as it presents itself to the dominant party, is not to ascertain the truth about infallibility by fair and open discussion, but, given the infallibility of the Pope, how most effectually to assert it, every available machinery for crushing or curtailing freedom of debate is pretty sure to be made full use of. The debate *De Precio Catechismo* appears to be concluded. But if the infallibilists press their dogma through the Council, the real stress of the controversy will ultimately hinge on its insertion into the catechism or catechisms henceforth to be used, where it will of course have to appear as part of the authoritative exposition of the Ninth Article of the Apostles' Creed. And this will bring it home practically to the conscience of every parish priest of the Roman Catholic Church throughout the world. We believe there are a large number of them, and by no means men whose views would be considered extreme, who would rather throw up their cure of souls than consent to teach their people, as part of divine revelation, a doctrine which they have never hitherto believed, or perhaps thought much about, but which, in proportion as its consideration is forced on their minds, they know to be novel, and feel to be at

best exceedingly suspicious. There was not the same difficulty about the Immaculate Conception, because the great body of the Catholic clergy, rightly or wrongly, did in fact hold it to be true before, and moreover it was a tenet which began and ended in itself. But a large proportion of both priests and people do not believe in Papal infallibility, and are moreover well aware that it would pledge them, by direct implication, to such a bewildering mass of other and often most questionable doctrines that nobody could ever know the full extent of what he was bound to believe. The additional articles of faith asserted by infallibilist doctors to rest on the authority of Pius IX. alone, and which range over all kinds of moral, social, and political, as well as religious subject-matter, would fill, we believe, a goodly volume. That anything like general concord of opinion on these multifarious subjects should ever really prevail among either clergy or laity is of course a sheer impossibility, though on several of them there exists an almost universal consent, among educated men of all creeds, that the Papal estimate of the matter is false. There are not many, for instance, in this day, beyond the immediate entourage of the Roman Court, or perhaps even within that charmed circle, who would consider it a praiseworthy and pious act for a son to delate his heretical father to the Inquisition and carry the first faggot for his burning; but such is unquestionably the right view if Popes are infallible on all points of "faith and morals." And this is but one specimen of a large class of kindred questions. We do not wonder that the Opposition are resolute, and show no signs of yielding.

SPRING EXHIBITIONS.

IT may seem premature to write of "Spring Exhibitions" when we have only just escaped from the rigours of winter, but eager artists paint pictures, as early birds sing songs, while snow is still upon the ground. Surely the making of exhibitions has become a trade; pictures are merchandize and exhibitions are public marts; thus artists grow into manufacturers, and art itself, like any other commercial commodity, is a thing of bargain and sale. To produce cheap and sell dear, to get a rapid return whether the capital embarked be that of the intellect or of the pocket, is the end of all trade, not excepting the traffic called picture-dealing. This "political economy of art" is rife with results evil as well as good. For the present we will only remark that the multiplication of exhibitions acts as a premium on mediocrities. At this moment we have for notice three Galleries, and a fourth and a fifth are in immediate prospect. There is the "Dudley Gallery," "the Old Bond Street Gallery," and the Gallery in Conduit Street now occupied by the "Society of Female Artists." These three exhibitions are opened in the interests of more than seven hundred painters, but, in art as in politics, the larger the constituency is made the lower the intellectual standard sinks. The deterioration of art and the degradation of public taste incident to the facility of placing failure on view for general admiration have scarcely, we fear, yet reached the worst. These three exhibitions contain a total of more than fifteen hundred works, and yet space is still wanted for an additional sixteen hundred, the number rejected or crowded out. In these days of freedom and democratic equality, artists, when ill appreciated, form themselves forthwith into Committees and hire Galleries; accordingly the Royal Academy provoked a "supplementary exhibition," and now we are threatened with a supplement to the supplement, and so there is no end to the prolific progeny. The time was when school-boys and school-girls had a diffidence which deterred them from rushing into notoriety, but now youth seems to have lost modesty, and matured incapacity is no longer troubled with distrust.

"The General Exhibition of Water-Colour Drawings" held in the Dudley Gallery has reached its sixth season; and with growing years it loses none of its first juvenility. No Gallery is so entertaining; the painters in pleasing themselves amuse the public, and even when they mean to be serious they provoke at their expense a smile. The interest of the collection is in its eccentricity; nowhere else can we meet with such ultra-manifestations of mediævalism, of morbid sentiment merging into maudlin, of imagination without the control of reason, of fervid colour without form, of composition without perspective, of singular conceptions far removed from nature. But the new school, though mannered, is not monotonous; great indeed is the variety which here meets the eye in the abnormal creations of Mr. Simeon Solomon, Mr. Bateman, Mr. Walter Crane, Mr. Wooldridge, Mr. Napier Henry, Mr. Clifford, and Miss Madox Brown. Mr. Simeon Solomon is an artist we could ill afford to spare; even his weaknesses have a charm, and his vices lean to virtue's side. "The Summer Twilight" (121) is poetic in cast of thought; it may be objected that the figures are without firmness or force, that they move not as substantial forms but as fleeting shadows; still the composition is musical, and the die-away sentiment has been attuned to melancholy cadence. It would scarcely appear to be the aim of this painter to get near to nature; his figures are remote from the living model, indeed "The Three Holy Children in the Fiery Furnace" (45) are but embryos of humanity. The artist is a mystic; he veils his meaning under symbolism. Thus "The Sleepers, and One that Keepeth Watch" (625), is suggestive to the imagination, and yet remains unintelligible to common sense. The faces have a subtle beauty, they seem to belong to an order of beings superior to earth; sorrow weighs heavily upon the sleeper, and wonder dazes the eye of him "that keepeth watch." Mr. Simeon

Solomon, in removing himself far away from the naturalistic styles around him, takes refuge in schools of the past. If not a plagiarist, he is at any rate an eclectic; sometimes he has borrowed from the classic, and among his present contributions we trace the influence of Stothard, Correggio, and Italian painters of the time of Raffaelle. We recognise in Mr. Solomon aspirations not yet adequately fulfilled. This mannered school is, as we have said, copiously represented in the Dudley Gallery. "Plucking Mandrakes" (194), by Mr. Bateman, has mystery in meaning and shadowy depth in colour. "Spring" (241), by Mr. Crane, is afflicted with a childish background, and the composition is incoherent, but in some of the figures we distinguish a praiseworthy effort to adapt the beauty of classic forms to modern uses. The same artist gives us in "Ormuzd and Ahriman" (271) a more favourable example of the way in which he and others seek to incorporate into modern art what was lovely and good in the olden times. The landscape in which the fierce combatants are placed is in lustrous harmony not unworthy of Perugino, and in its sublime indifferentism to physical laws suggests comparison with the spiritual painters of the pre-Raffaelite period. But it is hard to find any excuse for that well-meant abortion "Meeting again in Elysium" (378). If this be your "Elysium," Mr. Wooldridge, we would go very far to escape the "meeting." We have said enough to show the anomalous position to which the whole school is committed. It seems to confound the essential difference between a poem and a picture; in affecting genius it barely escapes madness, and when it would be simple it is in danger of insanity.

We meet in the Gallery, as usual, Mr. Poynter, A.R.A., Mr. Marks, Mr. Leslie, A.R.A., and Mr. Wynfield, all on the Committee. Mr. Poynter and Mr. Marks, though members of this Dudley school, have strength and stamina to stand apart from servile mediævalism. The distinctive styles of these artists, though firmly set on an historic basis, are essentially individual and independent. Mr. Poynter's impersonation of "Poetry" (163) is wholly unconventional, and yet above the level of common nature. The reading of the character is closer to German than to Italian manners; free from cant, idealism, or romance, it is earnest, individual, real—not to say hard and crude; the drapery, too, seems needlessly angular and cut up. In these characteristics resides the artist's strength as well as his shortcoming. Other works by Mr. Poynter attract attention. The "Portrait of Mrs. Burne Jones" (506) is original and realistic; and "Jessica" (586), besides usual firmness in modelling, is good in decorative art, as seen in the design of necklace, turban, and wall pattern. Painters are often culpably negligent on such points; it is inexcusable that they should reproduce corrupt designs when Grecian, Italian, not to say modern, art yields material for study lovely in form as in colour. The antiquarianism which has of late years risen into the ascendant has added real art worth to pictorial accessories and backgrounds. Mr. Marks is another painter who takes a mediæval turn. "The Princess and the Pelicans" (169) is as a quaint old play, or a comic pantomime, wherein large birds, with strange wise heads, walk upon the stage. These ornithological characters are well sustained; a sly twinkle, a bright spark of intelligence kindles in the eye and tells that these creatures embody an enchanted humanity. The painter, though verging on the grotesque, maintains gravity, and the scene is rendered real by well-chosen detail and incisive handling. This picture, if not wholly to be admired, will be long remembered. "Study of a Head" (186), by M. Legros, has force of character and bust-like relief. This clever artist is throwing into his work greater completeness, and seems likely to overcome that rudeness in execution which has militated against his success in England. M. Herkomer produces a somewhat repellent composition, "Hoeing" (272). The figures are truthful studies, but scattered, and the whole picture wants lighting up. Herr Horschelt, the Bavarian, shows usual dash and fling in "Wandering Circassians" (495). Ethnologists will attach more value to an amazingly clever "Group of Malees" (453), by Mr. Griffiths, an artist who gives in the Bond Street Gallery further proof of fidelity by studies of camels "Preparing to Start." Mr. Griffiths, of Bombay, has power to make a position in this country, especially if he will condescend to be more pleasing. "Calvary" (482), by Mr. Cave Thomas, deserves recognition as the only worthy representative of the old and now obsolete religious arts. This drawing is a small replica of a large composition painted by Mr. Thomas for Christ Church, Marylebone.

The landscapes in the Dudley are apt to be as peculiar as the figure-pieces. Mr. H. Goodwin and Mr. Albert Goodwin aim at poetic effects of light and colour; Mr. J. C. Moore also gains romance in a lovely drawing "Evening on the Tiber" (278). It is the fault of these painters and others of their company that, so long as they can cast over a scene a warm glow of sentiment, they are careless of form. Thus Mr. Donaldson, in two sombre and impressive views of old Nuremberg, has laboured for colour rather than for accuracy in drawing; it is not uncommon indeed to find water running up hill in the works of this artist, so indifferent is the whole school to the laws of nature. How waters rushing at wildest speed maintain dynamic equilibrium is seen in that spirited sketch by Madame Bodichon, "Rapids above Niagara" (62). There is in this Gallery much we do not profess to understand, especially in the hanging. Why, for example, does "Sympathy" (298), a figure coarse in form as in execution, find a place on the line? We have elsewhere heard of Committee-men who take particular care to place their friends well, but such a

charge we may be sure were a satire on the management of the Dudley Gallery.

Of "the Old Bond Street Gallery" we have not much to say. The Committee, which is more than usually varied, combines trade, station, talent—the Church, the navy, medicine, art; on the list are two Messrs. Chester, two Messrs. Dawson, and two Messrs. Wyllie, who exhibit among them a modest total of seventeen works. It were simply cruel to criticize these rooms, which from beginning to end maintain an evenly balanced mediocrity. Above the prevailing level rise three contributions severally of Mr. Elmore, Mr. Boughton, and Mr. Smallfield—artists who scarcely stand in need of notice. By painters less known we may call attention to "Hilda" (22), a well-executed head by Mrs. Romer, also to a truly artistic "Sketch for the Turner Medal Picture" (136) by Mr. W. L. Wyllie; likewise we would give warm greeting to Mr. R. P. Richards, a provincial artist who here makes his first appearance in London. "Evening on the Conway" (48), and "Morning" (187) on the same river, show conscientious study, with an eye sensitive to poetic effects. This Bond Street Gallery is no exception to the experience elsewhere that as many works are thrown out as accepted. It being fair to assume that the best are hung, how rare must be the merit of the remainder consigned to garret or cellar!

We should like to reserve a word of courtesy for the ladies, for it is hard to conceive of anything better meant or more harmless than the Exhibition of "Female Artists." It seems to us rather strange that this Gallery should not present greater attractions to the sex for which it is exclusively set apart, but experience appears to teach that when a woman is going to do anything particularly fine she does not shun the admiration of men. Certainly "Female Artists" who are strong enough to stand in public competition do not care much for a Gallery set apart for their seclusion. Yet we cannot speak slightly of the contributions of Miss Alyce Thorneycroft, Miss Emily Ryder, Mrs. Marable, Miss Pocock, Mrs. Bridell, and Miss Stannard. Neither must we forget that Mrs. Benham Hay, who won by her Florentine Procession a first position in the ranks of Female Artists, sends several examples of her masterful manner, among which should be noted a "Study of a Head" (252) scarcely unworthy of Masaccio and other naturalistic artists of Florence, under whose influence it has evidently been painted. "St. Hubert's Stag" (214), by Rose Bonheur, may be accepted as a curiosity, and "Poultry" (371) is far from the best work we know by her sister, Madame Peyrol Bonheur. The Gallery is said to be an improvement on former years, and perhaps still further advance may be found when women shall reap the benefit of the more thorough study which is now open to them.

In conclusion, we must express our astonishment that free trade in exhibitions has not stimulated the production of a better commodity. Sir Francis Grant, with his accustomed courtesy, gives hearty welcome to new Galleries, which doubtless serve to remove a pressure inconvenient to the Academy. Still the wondrous creations which had been looked for on the enfranchisement of down-trodden genius fail to make their appearance. Again and again come uppermost the old names and the well-known styles, and the new aspirants in these reformed Exhibitions, as under the time-honoured abuses of the Academy, have for the most part to submit to dishonour on the floor or oblivion at the ceiling. Art-Committees have, in short, failed to discover any patent whereby lack of talent can be made good.

A BULL-FIGHT AT ISLINGTON.

WE are told on good authority that the Spanish bull-fight is of Moorish origin; and certainly the head-quarters of this amusement must be sought at Seville, the capital of what once was Moorish Spain. It is not the least of the many puzzles which Spain presents to the inquirer that the habits and ideas of Christian and Saracen have become inextricably intermingled in the manners of her people and her literature. The well-known Spanish ballads which translators have made familiar to English ears belong for the most part to the ages of strife which preceded the conquest of Granada, and the characters and incidents of these ballads are treated in nearly the same way whether they belong to the adherents of the Crescent or of the Cross. Thus the very mournful ballad of the siege and conquest of Alhama existed both in Spanish and in Arabic; and it might perhaps be difficult to ascertain in which language it was originally composed. When the aged Moor addresses the messengers of the King as "caballeros, hombres buenos," we perhaps forget for the moment that Granada was not a Christian city, and when we remember it we probably think that the poet has used a license similar to that of Scott, who speaks of "Paynim chivalry." But then comes the question whether the Spanish ideas of chivalry, however they may have received a Christian colour, were not to a great extent of Moorish origin. The bull-fight may fairly be described as the modern representative of the tournament, and it is generally held that the bull-fight is Moorish, although the few Spaniards who trouble themselves about antiquities desire to believe that it is Roman. The author of Murray's *Handbook for Spain*, although he knew the country as few Englishmen have known it, does not accurately distinguish the Christian and Moorish elements of its civilization. Thus he says that the principle of this spectacle is the exhibition of gallant horsemanship,

personal courage, and dexterity with the lance, which constituted the favourite accomplishments of the children of the desert; and within a few lines he says that to be a good rider and lancer was essential to the Spanish caballero. One feels the same sort of bewilderment on reading this passage as on hearing the ballad of Zarifa, which seems to speak of the sorrows of a Christian young lady, although the name and the scene are Moorish. It seems to be certain that the original bull-fighters were gentlemen who fought on foot and were armed with short spears. Afterwards gentlemen fought on horseback, and with lances, and the amusement was highly favoured by Court and aristocracy until the French followers of King Charles V. censured it as barbarous and rendered it unfashionable. The lower orders of Spaniards, however, were as adverse as our own to French innovation on national amusements. But the bull-fighters henceforward came from an inferior class and made bull-fighting a profession, which might be compared to prize-fighting as it existed fifty years ago among ourselves. We do not know whether this profession flourishes as it did when Mr. Ford wrote, or whether the progress of civilization has interfered with bull-fighting in Spain as it has with prize-fighting in England; but we should think that, if an Andalusian could form any conception of popular government, he would suppose that it must necessarily mean that he was to be supplied at somebody's expense with more bread and a great many more bull-fights. These entertainments are indeed so expensive that they are only given rarely and on great occasions. The utmost economy is observed in the horses, which are so bad that a London cabman would scorn to whip them; but if the bulls were not first-rate, the populace would perceive that it was being cheated of its pleasure. The most fierce and active bulls which are selected for this sport are necessarily the most valuable, and unfortunately they cannot do service a second time. Bulls and horses are, as a store-keeper would say, expended, and whatever answers in Seville to Thwaites's Parliament has to pay the bill. There is not even a possibility of profit, for the entertainment is usually given for the benefit of the hospitals, which are apt to benefit in more ways than one. The privilege of holding "bull-feasts," as they are properly called, was granted to the city of Saragossa as the only reward of its heroic defence against the French. The magnificent theatre of Seville is open to the sun and air. It is in shape octagonal, surrounding an elliptical arena in which the bull meets his foes. It has been said that liberty was given to England in compensation for the want of a fine climate, Spain, at least in the south, has always had a fine climate, and now she has liberty as well. The highest priced places in the theatre are in the shade. The mob endures the burning heat joyously to see its favourite sport. The excitement and thirst for blood recalls the gladiatorial shows of Rome. The bull must die, and whether he dies applauded or despised depends upon the courage with which he faces his tormentors. If he flinches, the mob calls him "cow." If he charges home and rolls horse and rider in the dust, the cry of *Bravo toro!* rises to the sky. Sometimes he leaps the barrier in his frenzy, and descends among the crowd; but he thus only changes the mode of his inevitable death. The wretched horses, disembowelled while yet carrying their riders, receive less pity than the bulls. The riders are seldom killed, but they are often wounded, removed, and forgotten in the excitement of the next combat. A father was disabled, and carried away for dead. His son took his place, and continued the engagement with the bull. The skill of the mounted men or *picadores* is marvellous, and the more so from the wretched quality of the horses which they ride. Their legs are protected with leather and iron, and they are armed with spears, which however are intended chiefly for defensive purposes. The bull has learned in his youth to know and fear this weapon, and only the bravest of their kind will face it. The *picadores* are assisted by the *chulos* on foot, who trust to their own agility to escape the rushes of the bull, and who carry coloured cloaks to attract the bull's attention, and small darts, ornamented with cut paper, which they plant neatly on each side of the bull's neck. Lastly comes the *matador*, with red flag and sword, who, with a single well-aimed blow, stretches the bull lifeless in the bloody dust. Then a gay team of mules with jingling bells drags his body at a gallop out of sight, and the mob awaits the rush of his successor into the circus, where the *picadores* are ready to receive him.

There has been one spectacle, and only one, which a Spanish mob preferred to a bull-fight, and that was an *auto-da-fé*. It is to be regretted that the spirited lessee of the Agricultural Hall would be likely to find difficulty in producing a representation of burning heretics which could be at all satisfactory to zealous Protestants. The bull-fight which he has produced is perhaps the most dreary entertainment ever inflicted on a much-enduring public. We can entirely confirm his statement that there is no cruelty in the performance, unless it be to the spectators. A bull-fight without bloodshedding or broken bones is a very poor affair, and it is necessarily witnessed with entire freedom from excitement by the few persons whom it attracts. Yet we are far from saying that the lessee is not as well entitled to support as the managers of other places of what is called amusement. We see at the Agricultural Hall as good, or as bad, a representation of a bull-fight as we see of a University boat-race in *Formosa*, and we are at liberty to solace ourselves, if we so desire, with liquor and tobacco, which are not permitted at theatre. If the Hall was only tolerably full, an evening passed in contemplating a

parody of a bull-fight might, by the help of stimulants, be made endurable. But even the bulls must be depressed by the desert of empty benches which surrounds them. The bulls, as well as the bull-fighters, are said to be Spanish; but it is difficult to believe that equally serviceable animals could not have been obtained on this side of the water. They are more like bull-calves than full-grown bulls, and if they have received any special training for the circus, they manage to conceal it. The contrast between what we see and what we may have heard or imagined of the *Plaza de Toros* at Seville is enough to make one melancholy. Instead of the open air and the bright sun we are in a building lighted by gas. Instead of a vast assembly swayed by one strong universal sentiment, there are a few people dotted about on benches, hesitating whether to fix their affection on brandy-and-water or pale ale. The performers are Spaniards, and have been instructed in the art of bull-fighting. Thus much seems to be unquestionable. The lightness of the *chulo*, his management of his cloak, and his skipping over the barrier are represented with tolerable fidelity. But the solitary *picador* is a man on foot having suspended round his middle a rude imitation of the head and hind-quarters of a horse. The *matador* is provided, instead of a sword, with a rosette, which he sticks upon the neck of the bull, who is thereupon dismissed to his supper and bed. We wonder whether the Spaniards will ever become too civilized for real bull-fighting, and whether, when they are, they will take pleasure in witnessing an imitation. The exhibition at the Agricultural Hall can hardly be pronounced successful, but we would recommend the bull-fighters to get themselves connected either there or elsewhere with some sort of dramatic entertainment, and they will infallibly become popular. It would be easy to induce an author to write a play, and a tailor to supply new clothes, of which the Spaniards are much in want, and thus a popular drama of the most thrilling sensational character would be produced. Indeed, a drama might be constructed by the easy process of adapting to the stage a Spanish novel which was very popular a few years ago. The heroine of the story has a splendid voice, which she cultivates for operatic purposes, and becomes the leading singer of her day. She conceives a passion for a *matador*, who is as high in his profession as she is in hers, and when he performs the difficult and hazardous exploit of plucking a ribbon from a bull's neck he lays it at the feet of the lady whom he loves. We have said enough to indicate the process by which a drama may be constructed which shall be at once sensational and romantic, and we have only to express our hope that Mr. Boucicault may be induced to avail himself of the new material which is thus afforded to him. If he thinks that a Spanish bull would be dangerous on the ordinary stage, he can give us an Irish bull instead. He may, if he pleases, make an affecting scene by representing the interior of a private box, from which the heroine would watch her lover preparing for his encounter with a fierce and active bull. It would not be absolutely necessary to introduce this formidable animal on the stage. The dramatist might imitate a famous predecessor, and cause one of his characters to say —

The Spanish bull thou canst not see because
It is not yet in sight.

But the spectators might hear him roaring.

REVIEWS.

GREG'S POLITICAL PROBLEMS.*

MR. GREG has for many years been one of the most active and most useful of political writers. While he has on the whole sympathized with the progressive tendency of his generation, he never forgets the scepticism or suspicion with which independent minds instinctively regard popular opinions. He is also too consistent to think that the accomplishment of desirable changes affords a reason for further alterations; and probably he shares in the distrust of novelty which time and experience seldom fail to produce. Over the great majority of political theorists he possesses the advantage of a minute and extensive acquaintance with facts and figures; and consequently his generalizations really proceed upwards from classified details, instead of forcing illustrations into the service of ingenious assumptions. The present collection of essays deals with many of the topics which at present possess the greatest practical importance. Trade-Unions, Criminal Jurisprudence, Local Government, and Taxation are among the political problems of which Mr. Greg undertakes a partial or complete solution. Apparently cherishing no enthusiastic confidence in democratic principles, he endeavours to inquire how far it may be possible to make the best of an irrevocable change. His belief in the wisdom and foresight of statesmen is not excessive, but he holds that political dangers are diminished when they are distinctly comprehended. To say that some of Mr. Greg's doctrines are questionable is only equivalent to the statement that he judges for himself on the merits of many urgent and perplexing controversies. It is just, and not altogether uncomplimentary, to regard his arguments as even more instructive than his conclusions; and it may be added that Mr. Greg's essays are always thoroughly readable. Occasionally careless of style, using hackneyed French words to save himself the trouble of finding the fitting English term, and even relying for emphasis on italics, he is never

* *Political Problems for our Age and Country*. By W. R. Greg. London: Trübner & Co.

involved or obscure. It is impossible to doubt that the writer fully understands his own meaning, or that he sincerely holds the opinions which he expresses in the clearest language.

A large section of the educated classes may welcome in Mr. Greg a confident guide to lead them towards doctrines which they are inclined and yet afraid to accept; but among the novelties which are becoming partially or generally popular he exercises the nicest discrimination. Within the last twenty years the faith of a former generation in constitutional government and in the principles of political economy has been simultaneously weakened. Revolutionary professors of Positivism have united with admirers of the temporary splendour of the French Empire in denunciations of the incapacity of Parliaments; and the same reasons and motives have to some extent discredited the simple rule of leaving production, consumption, and exchange to take care of themselves. Mr. Greg, although he is neither a disciple of Comte nor an enthusiast for showy absolutism, is too impatient of administrative shortcomings to appreciate the complex machinery of English institutions. The time which is occupied in winding up the clock and in adjusting the regulator might, in his judgment, be more profitably employed in setting the hand to the right time. Not exempt from the suspicion of constitutional heresy, Mr. Greg is unimpeachably orthodox in his adhesion to the results of economic science. One of his most vigorous essays is directed against the system of Trade-Unions, although in consistency with his uniform principle he acknowledges the right of combination for any purpose affecting only the parties to the contract. His main objection to the organization which actually exists is founded on its inevitable tendency to violence and coercion. The workmen in any branch of industry, when they wish to impose terms on their employers, feel that their success must largely depend on their power to exclude the competition of rivals from the outside; and all the degrees of pressure which they apply to those whom they regard as mischievous intruders are more or less tyrannical and oppressive. If the monstrous demand of legal powers of coercion were conceded to Broadhead and to the literary advocates of the Unions, it would necessarily follow either that the special markets of labour would be overstocked, or that every trade would be constituted into a privileged guild or oligarchy which in two or three generations would become a caste. The members of the Unions are firmly persuaded that the menace or practice of strikes has raised the rate of wages; and, with the full approval of their teachers, they habitually avow their utter indifference to the welfare either of their employers or of the rest of the community. Mr. Greg's inquiries have led him to the conclusion that even where the rate of wages has been raised the total earnings of the workman, taking into account his payments to the Union funds, have nevertheless been diminished; and he further believes that the discouragement of production through arbitrary increase of cost has on the whole reduced the total amount which would otherwise have been paid in wages. It is improbable that arguments mainly addressed to society at large, which consists of consumers, will find access to the understandings of unionist workmen. There can be no doubt that combinations and even strikes are sometimes justifiable and sometimes advantageous; yet employers, with few exceptions, find the dictation of the Trade-Union Councils every day more and more intolerable. Mr. Greg is disposed to favour the experiment of co-operation and of the admission of workmen to a modified partnership; but a more comprehensive remedy for existing evils would perhaps be found in the establishment and general recognition of some equitable proportion between wages and profits. Mr. Mundella's scheme of arbitration has the merit of encouraging an understanding between masters and workmen on the more or less remunerative character of the trade in which they are jointly interested. A manufacturer who could be trusted to raise wages in prosperous times would probably not be embarrassed by strikes for higher pay, but it is doubtful whether his workmen would submit to corresponding reductions in case of depression.

If Mr. Greg is inclined to let buying and selling alone, he in all other matters complains rather of the inaction of the Government and the Legislature than of undue interference. He would repress public disturbances more sternly, and deal more severely and systematically with the criminal classes, and he would impose on the Government and its subordinate officers many of the functions which are now performed by unpaid authorities or by private adventurers. Untroubled by prejudice, Mr. Greg desires to abolish not only the jurisdiction of county and borough justices, but even the venerable institution of trial by jury; or rather, he questions as an essayist the expediency of maintaining systems which, if he were invested with the responsibility of power, he might perhaps hesitate summarily to suppress. It is not surprising that he disputes or doubts the minor articles of the constitutional creed, when he has the audacity to disbelieve in the central doctrine of Parliamentary government. Exclusively bent on practical and constructive improvement, he grudges all the energy which is employed in the attainment rather than in the exercise of power, and he also thinks that the faculties which insure success in the competition are not those which are principally required in the public service. If the soundness of Mr. Greg's theory had not been tested by experience, it would be supported both by tenable arguments and by the authority of many other able men, including a well-known writer in the *Quarterly Review*. It was perhaps hardly worth Mr. Greg's while to quote the hackneyed passage in which Macaulay disparages for the sake of rhetorical effect the qualities in which he excelled, and which he habitually admired in others. Nothing could be easier than for the smartest and most sparkling of

epigrammatists to prove, in a string of antithetic sentences, that it was the tendency of English institutions "to encourage readiness in public men at the expense both of fulness and of exactness." It was not necessary for Macaulay to be consistent in his maintenance of a proposition in which he never seriously believed. "The keenest and most vigorous minds of every generation," he proceeds to say, "minds often admirably fitted for the investigation of truth, are habitually employed in producing arguments such as no man of sense would put into a treatise intended for publication, arguments which are just good enough to be used once, when aided by fluent delivery and pointed language." It is a sufficient apology for any political system that it enlists in the service of the State, and advances to the highest rank, the keenest and most vigorous minds of every generation; nor is it material to the question whether they may occasionally use trivial arguments in debate. Mr. Greg perhaps forgets that the passage which he cites was written for the special purpose of proving that the philosophical powers of the subject of Macaulay's criticism had probably been impaired by early entrance into the House of Commons. A prophecy that Mr. Gladstone would fail as a statesman because he had nearly forty years ago succeeded as an orator might, even if Macaulay had ventured on such a prediction, have been supposed to be falsified by the event. It is less instructive to conjecture the possible tendencies of Parliamentary life than to inquire whether English statesmen have really been empty declaimers and triflers. Pitt, Canning, Wellington, Peel, Melbourne, Russell, Palmerston, and Gladstone have for nearly a century governed the country in turn, some of them having risen to power by eloquence, while several have not even been orators. Lord Liverpool, who was not intellectually distinguished, had all the qualities of the industrious and experienced chief clerks to whom Mr. Greg and the *Quarterly Review* would transfer political supremacy. It would puzzle Mr. Greg to discover a single instance since the establishment of Parliamentary government in which an empty rhetorician has risen to political eminence in England. The members of the present Cabinet, together with the occupants of the front Opposition Bench, would probably include in their number nearly all the members of a Cabinet formed by the most impartial Committee of Selection or named by Mr. Greg himself. It is a waste of ingenuity to argue that Mr. Gladstone, Mr. Bright, and Mr. Lowe, Mr. Cardwell and Mr. Childers, Mr. Disraeli, Lord Derby, Mr. Hardy, and Sir Stafford Northcote, ought on a calculation of chances, to have been showy idlers. Even if their possession of more solid faculties and acquirements were supposed to be a mere happy accident, the popularity and influence which they have acquired during their Parliamentary career is an advantage which they could never have enjoyed if they had been buried from youth in the recesses of a public office. Mr. Gladstone, Sir George Lewis, Lord Derby, or the Duke of Argyll might probably have risen to eminence by success in competitive examinations; but their merits would scarcely have been appreciated by a nation in which there was no public life. The errors and failures of constitutional government are easily recounted, and it is impossible to dispute their occurrence; but the implied assumption that a bureaucratic despotism would be infallible is entirely groundless. Zealous public functionaries are often justified in their complaints of Parliamentary impediments to legislative measures which they hold to be desirable; but even in the absence of a representative system, and of the political freedom with which it is inseparably connected, the sovereign power must be lodged somewhere, and the ultimate authority would not be infallible. Every nation on the Continent has within recent memory tried the system which is approved by Mr. Greg; and they have all in turn, and many of them more than once, rejected the faultless rule of clerks and Under-Secretaries for the English form of government with all its drawbacks. Prussia itself, after long experience of the purest and best of irresponsible administrations, is now struggling for Parliamentary government of the English type; and it is a remarkable circumstance that among the most prominent advocates of constitutional liberty are some of the best and ablest of the civil servants of the Prussian Crown. Fifteen years ago it was the fashion to contrast the defects of English institutions with the supposed simplicity and vigour of French Imperialism. The Ollivier Ministry is now, with the hearty approval of the enlightened classes in France, struggling to undo whatever has been effected during the intermission of Parliamentary control.

In some important branches of legislation and administration England is far in advance of any European or American State. In no other country is trade so entirely unencumbered by protective duties, nor is a financial equilibrium elsewhere maintained with equal solicitude and success. In all other countries the National Debt has been largely increased during the half century in which it has been subjected in England to steady reduction. The ablest financiers and the best economists of the time have been discovered by the process which is condemned by Lord Macaulay and Mr. Greg; and it may be added that constitutional government confers a power which is not attained by despots. When the Government possesses the confidence of Parliament, and Parliament that of the country, no abuse, from the Corn-law to the Irish Establishment, is strong enough to resist the determination of a reforming Minister. Cavour alone among recent Continental statesmen has understood the use of a Parliament, and it was with that instrument alone that he could have created Italian unity. Whether Parliamentary sovereignty is compatible with universal suffrage will be proved within a few years; and perhaps the question will be decided by the result

of the next general election in France. Mr. Greg's exposure of the abuses and corruption which prevail in America bears but indirectly on the merits of the English Constitution, which has hitherto rested on the rule of a minority. Few Englishmen would doubt that judges elected for short terms by the lowest of the rabble are likely to possess the moral, social, and intellectual peculiarities which illustrate the bench of the city of New York. Mr. Greg would readily allow that the issue between absolute and constitutional government is for the present not likely to be raised in practice; and it is well that even the more paradoxical side of the controversy should be supported by a thoughtful writer of large acquaintance with books, with men, and with business. The habit of taking institutions for granted ought from time to time to be rudely disturbed; and Mr. Greg cuts so deeply into the crust of opinion and prejudice that even when his search for treasure is unsuccessful he never fails, like the devisee in *Aesop*, to develop the latent productiveness of the soil.

DR. LETHEBY ON FOOD.*

DR. LETHEBY'S *Lectures on Food* would have been of more direct and unmixed value had the able author more clearly defined to his own mind the class of hearers or readers to whom his expositions of science were to be addressed. What we are compelled to question, after a perusal of his clever and pregnant little volume, is his capacity for imparting to minds in the rudimentary stage of scientific knowledge what is clear and consistent enough to himself. The primary qualification for a teacher is that of being able to place himself at the intellectual point of view of his pupils or listeners, to realize their difficulties, and to find a common ground on which to uprear by firm and steady stages the fabric of knowledge. For want of this recognition of his learners' weaknesses the most advanced Professor, or the most technically precise treatise, must alike fail in their aim. It is above all things in a popular lecture that this estimate of the position of the unlearned is to be looked for as of right. Can it, then, be called judicious in a lecturer to open the wide subject of Food with a number of distinctions which take for granted a considerable knowledge of the highest chemical and physiological laws, as well as a critical faculty sufficient to sustain the hearer in the balance between rival theories and conflicting facts? The main and practical question of these lectures, mooted by Dr. Lethaby at the second page, is that of the economy of food. "We have to look at the nutritive value of different articles of diet, together with the modes by which food can best be distributed and utilized." To this end, he very properly remarks, it would be a great advantage to have some simple standard for comparison. But, so far from helping the pupil in this indispensable preliminary, he goes on at once to declare that he has no standard whatever to offer. "This is avowedly a difficult matter. For if we compare foods according to the proportions of their principal constituents, as the albuminous, starchy, saccharine, and saline, we shall find that the relative quantities vary to such a degree as to make the comparison almost useless. And if we fix our attention on one of these constituents—the nitrogenous for example—and make it the exponent of nutritive value, we get into the difficulty of either overloading this equivalent with a large amount of carbonaceous material or having it deficient therein." We pity the aspiring tyro who is thus condemned to stumble at the very threshold of the house of knowledge. Dr. Lethaby seems never to have had a clear view of the class of persons for whom his lectures are meant. Else he would have scarcely thought it worth while to put together the merely elementary matter of which nine-tenths of the lectures consist, for the behoof of students far enough on in chemical theory as to assume for a datum point or standard "the 1,220 grains of nitrogenous matter required by a man in his daily diet." No proof or explanation is vouchsafed of a proposition on which the whole theory of nutrition is to be built up. Nor is anything said of the other constituents which go to make up the physical organism of man. Had Dr. Lethaby's hearers submitted without misgiving to his opening lead, they might have gone on in the simple belief that the nutritive value of all foods was exactly measured by the amount of nitrogenous matter contained in them—even perhaps to the happy idea, for all they are told to the contrary, of fattening themselves upon nitrogen itself in the pure state. We hardly know whether to congratulate or condole with a pupil after he has got by heart the doctor's voluminous figures, and is bursting with the knowledge that it takes 111,000 grains of parsnips or turnips, or 1,110,000 grains of beer or porter, to give an average adult male his requisite 1,220 grains of nitrogen, or that his mother's milk is less nitrogenous than that fresh from the cow as 100 is to 237, than mutton as 100 to 773, or than herring as 100 to 914, when he is told for his pains that "comparisons of this description are of little practical value." "I hardly need say," quoth the inexorable lecturer, "that they furnish no indication of the digestive labour required to utilize the products." Besides which "we are far from being assured, at the present time, that the nitrogenous elements of our foods are the most important." Dish after dish is set before the hungry guest at the table of knowledge, only to be whisked away at a touch of the lecturer's cautionary

wand, till, like poor Sancho, he is fain to fill his stomach with such simple and dry morsels as the caprice or pedantry of his adviser thinks suitable for his weak digestion.

Withdrawing his first two tables before they can well have been digested, Dr. Lethaby has recourse to a third method of "framing a table of alimentary equivalents." Regard having to be paid to "all the constituents," he presents in the third table the percentage proportions of both nitrogenous and carbonaceous matters in some forty of the principal articles of diet. Here too a preliminary difficulty has to be met. "The actual value of the several carbonaceous compounds is very different, for although the fattening and respiratory powers of starch, gum, sugar, and pectin are perhaps nearly the same, yet the power of fat is about 2.5 times as great as that of sugar, and this must be considered, irrespective of other functions of fat, in estimating the value of carbonaceous food." The proportions of carbonaceous matters have in consequence to be deduced by calculating them as starch. The next step is to compare the amounts of nitrogen and carbon in this list of substances with the proportions laid down in a "standard diet," such as those determined by Dr. Lyon Playfair in his inquiries into the dietaries of hospitals, prisons, and workhouses, and by Dr. Edward Smith in his reports on the minimum diet of Lancashire operatives during the cotton famine, and the dietaries of in-door labourers. We are here a little puzzled to find Dr. Lethaby's assertion that "3,888 grains of carbon and 181 grains of nitrogen daily are what an ordinary individual is capable of existing on without suffering in health," followed up by Dr. Smith's estimate of a "famine or barely sustaining diet" at 4,100 grains of carbon and 190 grains of nitrogen. If Dr. Lethaby's class have a right to be dieted as "ordinary individuals," the least they may expect is somewhat richer than a mere famine diet. These indispensable albeit scanty measures of aliment, they will learn, are to be obtained by an adult man in 2 lbs. 4 ozs., and by an adult woman in 2 lbs., of bread. But for what portion of their natural lives they may so prolong this somewhat monotonous diet, or to what extent it requires mitigation by other kinds of food, they will meet with nothing in these lectures to tell them. Experience, it may be, will teach them more fully than the lecturer seems inclined to do how far the nutritive effect of their rather meagre diet will be affected by their occupation or idleness, their command of clothing or fuel, or any like conditions of physical being other than the mere amount of nitrogen or carbon. Any appetite they may have for the details of household economy will be indeed provided for by the statistics of Table iv. They may be delighted to hear that they may take in their weekly *quantum suff.* of carbon for 9.5d., and of nitrogen for 11.1d. in Indian meal; in baker's bread for 21.7d. and 22.5d.; in potatoes for 18.6d. and 30.2d.; in skim-cheese for 44.2d. and 8.3d.; though in mutton they must go as high as 75.5d. and 35.0d.; in beef to 123.7d. and 57.8d.; and can do nothing in beer or porter under 104.7d. and 1330.0d. We shrink from putting the last expensive item in shillings or pounds, to make it more vividly realized by teetotalers, or by any of Dr. Lethaby's pupils, upon whom he has so strongly impressed the necessity for a proper amount of nitrogen. For ourselves we can only say, with the judge who was urged by the plea that a gold latch-key was a necessary of life to a certain infant, that we have been without necessities all our lives. The calculation is certainly simplified, though we had no right to expect such exactness, by the curious coincidence that the nitrogen in beer and porter comes to exactly a penny a grain. We should like to see some further light thrown upon this particular item. A more useful table, to our mind, is that of the relative digestibility of various articles of animal food. Here the reader of feeble stomachic powers may study the means of mitigating the period of his sufferings; eschewing, if he had any previous inclination thereto, "boiled tendon," which takes 5.30 hours to digest, or even roast pork, which takes five hours and a quarter, and falling back upon "soused pigs' feet" or tripe, which may be eliminated within the hour. Rice will not plague his inner man for more than an hour, nor "raw apples, sweet and melon," more than an hour and a half; whereas potatoes "roasted" require two hours and a half, and "boiled" a whole hour more, exactly thirty-three minutes being allotted to the same vegetable when baked. These and similar minutiae of the science of digestion have been got at in part by Dr. Beaumont through his curious experiments upon the Canadian with a fistulous opening in the stomach, in part by direct trial of various substances under the action of pepsin. A precise yet in many respects speculative account is given by Dr. Lethaby of the different functions of the stomach in the process of digestion. Nitrogenous or proteinaceous or albuminous substances, which constitute the leading articles of diet, are digested by the gastric juice and the intestinal mucus; starchy substances and cellulose by the ptyalin of the saliva and the pancreatic of the pancreatic fluid, as also by the animal diastase of intestinal mucus; the starch and cellulose being converted into a low form of sugar called glucose, which is freely absorbed into the circulation, or becomes changed into lactic acid which serves an important function in the digestion of nitrogenous matter. Gum and pectin are probably not digested at all, but remaining unchanged by contact with the secretions, and incapable of dialysis or absorption, pass through the alimentary canal without serving any direct purpose in nutrition. Fatty matters are resolved by the emulsifying action of the pancreatic fluid, and freely admitted into the tissues and lacteal vessels, while saline substances, being generally soluble in water, are easily absorbed, or, as in the case of the earthy phosphates, attacked by the acid constituents of the gastric juice.

* *On Food: its Varieties, Chemical Composition, Nutritive Value, Comparative Digestibility, Physiological Functions and Uses, Preparation, Culinary Treatment, Preservation, Adulteration, &c.; being the Substance of Four Caator Lectures.* By H. Lethaby, M.B., M.A., Ph.D., &c. London: Longmans & Co. 1870.

The hypothesis of Liebig that the dynamical action of the human body depends wholly upon the transformation of the muscular tissue, and may be measured by the quantity of nitrogen excreted as urea, as also that no oxidation of nitrogenous matter can take place until it has passed from the condition of food to tissue, has been much shaken by the observations of recent physiologists. Great labour, it was found, might be performed for a short period without the use of a nitrogenous diet. While there was always a relation between the quantity of nitrogen in the food and that excreted in urea, there was no such relation between the dynamical actions of the body and the excreted urea. Dr. Lethaby rests much upon the remark of Moritz Troube, in 1861, that all muscular force was derived from the oxidation of fat and hydrocarbons, and none from the oxidation of tissue. By Haidenham, in 1864, the same conclusion was arrived at, and about the same time by Donders. Dr. Edward Smith has further shown that the proportion of nitrogen excreted by the kidneys does not increase with exercise, like the carbonic acid exhaled from the lungs. Still more conclusive were the curious experiments made upon their own persons by Drs. A. Fick and J. Wislicenus, Professors of Physiology and Chemistry at Zurich, during an ascent of the Faulhorn, August 29, 1866. The basis of these gentlemen's calculations was doubtless too narrow for complete philosophical deductions, but the narrative of them will be read with much interest. For thirty-one hours they partook of none but non-nitrogenous food, cakes of starch, fat, and sugar. Their exhaustion on the second day was extreme, and seems to prove that work cannot long continue upon such food; their muscles and nerves becoming structurally impaired; yet the amount of nitrogen secreted was less than before or after the work. The well-fed body, as observed by Dr. Parkes, may possess sufficient nitrogen to carry on muscular exertion for a while, but an ample supply of nitrogenous substances is absolutely required for the repair of tissue, and probably to assist in the assimilation of hydrocarbons, thus helping the development of force without directly producing it. The entire functional conditions indeed, of an assimilative, respiratory, and force-promoting quality, are far from being thoroughly understood.

Dr. Lethaby's second lecture, in which he treats at length of the various functions of food in relation to the various processes of the living organism, is perhaps the most original and suggestive portion of the work. The results arrived at by Mayer, Joule, Donders, and others as to the conversion of mechanical or muscular energy into heat, with the measure thus obtained of force expended and mechanical effects produced, have been well brought in to illustrate and enforce the chemical and physiological lines of investigation. Combined with these are the experimental data of Dr. Frankland and others respecting the thermic power of food. Much has thus been done to determine the *opus vitale* or internal work of the human body in its manifold functions of respiration, circulation, and nutrition. One of the most instructive tables here given is that of the various degrees of daily work performed by bricklayers' labourers, porters, alpine climbers, criminals on the treadmill, &c., estimated in foot-pounds, upon the basis that every pound of water raised 1° F. represents a mechanical force of 772 lbs. lifted one foot high. The labour of coal-whipping, we may observe, is more severe than any other either professional or amateur exertion.

The third lecture contains much practical matter on the construction of dietaries, both for the purpose of prisons and workhouses and for domestic use, together with the preparation and culinary treatment of foods. The times for meals, the economical treatment of diet for the poor, the influence of tea, coffee, and cocoa, are discussed with clearness. An excellent summary is given of the various methods now under experiment for the preservation of meat, concluding with the latest and most hopeful, which we owe to Professor Gamgee. The manifold modes of making bread are described, and their results submitted to analysis, with especial reference to the due vesiculation of the dough by fermentation or aeration. The processes of Durand, Mège Mouries, D'Arblay, and others, for augmenting the yield of fine flour and regulating the quantity of gluten, are brought under review; together with the good and evil effects of yeasts. Dr. Whiting's process of substituting carbonate of soda, Mr. McDougall's use of phosphoric acid, and Dr. Daughish's system of aeration by carbonic acid gas, are successively explained. We are surprised to find but the most cursory mention of the bread made from brown meal, or simple grain ground whole, the common and most wholesome food of our forefathers, now seldom used in England owing to a mistaken taste for fine white flour, yet retained by many sensible people, as in the *pumpernickel* of Westphalia. There can be no doubt that wheat in its entirety contains beyond most other foods the various elements that enter into the composition of the human body—the flesh-forming principles so important to nutrition and growth, together with the phosphates of the bran essential to the nurture of the brain and the formation of the bones and teeth. The researches of Dr. Crace Calvert tend to show that the sifted flour contains only a trace of phosphates, especially the soluble ones, the bran containing a large quantity; the latter, with other mineral elements, not combining with the organic matter, but existing in a free condition. The elimination of the phosphates leaves the product imperfectly fit for food. A certain quantity of non-nutritive and unassimilable matter is moreover absolutely necessary for the digestion and assimilation of the alimentary particles. The presence of the bran, acting as a vehicle for the transmission of the residue of digestion through the system, obviates the necessity of medicine, removing much of the nervous irritability which attends upon constipation. In the special process of Mr. H. W. Hart,

fermentation being dispensed with, acidity, the bane of fermented bread, is entirely got rid of. Whole meal bread will keep moist and fresh for days, and, as we can testify from experience, is most palatable and wholesome in its effects. The evils of impure, adulterated, and ill-dressed food, diseased and putrid meat, with similar standing dangers to public health, form the concluding portion of Dr. Lethaby's lectures, which, subject to the complaints we have had to urge against his method of opening the subject, we would recommend as containing within their limited compass an unusual amount of compressed and serviceable matter.

GARIBALDI'S RULE OF THE MONK.*

THE title and the author of this book are calculated to excite a certain amount of curiosity. Most people will be amused at making acquaintance with General Garibaldi in the new character of a literary gentleman, and will be glad to hear his remarks about Rome, though it may be that they will anticipate less new light upon the Eternal City than upon the peculiarities of the General. The anonymous writer of a preface does what he can to heighten our curiosity. He is careful indeed to provide against adverse criticism by assuring us that "the deficiencies of the work are due rather to the translation than to the original"; but he adds that "the vigour and charm of the great Liberator's Italian are such as to show that he might have rivalled Alfieri or Manzoni, if he had not preferred to emulate the Gracchi or the Rienzi." Further, he is kind enough to inform us that the narrative is "idyllic in the pastoral scenes, tender and poetic in the domestic passages, Metastasio-like in some of its episodes, and terribly earnest in its denunciations"; and if we were inclined to save ourselves the trouble of criticism, we might be content to appropriate these words, omitting the marks of quotation, and give them as our own judgment. Of course the translator ought to know best a work over which he has taken so much pains, and we will therefore give the General credit for an indefinite amount of graceful language, the fine essence of which has unavoidably disappeared from the English version. But, inferior as translations generally are to originals, there are some matters—such, for example, as statements of fact—in which, if we assume a moderate amount of fidelity, the difference between the two cannot be very great. Now it is the peculiarity of the novel before us that it is not fiction founded upon fact, but "fact founded upon fiction." The more we have meditated upon this phrase, the less we have been able to appreciate the precise difference between the things opposed; but we take the assertion to mean, more or less, that the picture given of Roman society in the nineteenth century is substantially accurate. Names may be altered and facts slightly disguised, but the general tone of the description represents faithfully what Garibaldi sincerely believes to be true. Now as the story is of the most artless kind, and as the General has a way of suddenly digressing into explanations of his views upon religion and politics and into personal reminiscences, we presume that we shall be doing our duty best by dwelling very slightly upon the merits of the novel as a novel, and calling attention to it chiefly as a pamphlet on the state of the Papal Government. We shall regard Garibaldi as performing a function similar to that of a Commissioner inquiring into the condition of agricultural labourers, and deal with the contents of the *Rule of the Monk* as we should deal with a blue-book. The following statements will, we hope, convey a tolerably accurate impression of the General's opinions about modern Rome.

Rome, as we know, is a city governed by priests. Now the General "hates the priesthood as a lying and mischievous institution," though he is ready to welcome them to a nobler vocation when they have divested themselves of their "malignity and buffoonery." Meanwhile he regards them as "assassins of the soul," and therefore as more culpable than assassins of the body. A priest knows himself to be an impostor, unless he is a fool; and generally leads a life of the grossest sensuality whilst deceiving the people into the belief that he is a virtuous ascetic. It is easy to imagine what a priest must be when exalted to positions of power. Let us take, for example, Cardinal Procopio, the Pope's favourite. Procopio once upon a time deceived a beautiful girl, lodged her in his palace till the birth of a child, and then had the child murdered, and turned the mother out upon the world in a state of insanity. This was only one specimen of a long series of evil deeds. Finally, by acts of the basest treachery, he gets another still more beautiful girl into the same sink of iniquity, and at a critical moment, when she is struggling with him and two of his degraded myrmidons, three patriots, each of whom is also of exquisite beauty, incredible courage, and most unblameable character (qualities which belong to all true Italian patriots), surprise the villains, gag them, and save their victim. Next morning the Roman populace has the pleasant spectacle of the Cardinal and his two minions dead and suspended by the neck from the windows of the palace. It is not often, however, that such condign punishment is inflicted upon evildoers in high places. As a rule, they carry on their infernal tyranny with great satisfaction to themselves. They have servants—generally priests—who are ready to go about committing murder and other atrocities on the slightest hint of their superiors. Thus, for example, a widow is left dangerously ill with a princely fortune and a small boy. A priest is told off to frighten her with fears of hell until she has left the whole of her property to the Church. Unluckily she shows symptoms of returning health. The priest accord-

* *The Rule of the Monk; or, Rome in the Nineteenth Century.* By General Garibaldi. London and New York: Cassell, Petter, & Galpin.

ingly goes to her house, and, assisted by a nun whom he has sent to her as a nurse, opens her mouth, pours a deadly fluid down her throat, and lets her head fall heavily back on the pillows, while a complacent smile spreads itself over his diabolical features as, after one gasp, her jaw falls. The priests, moreover, have chambers of torture in their palaces, of which they know how to make good use either upon patriots or, in case of need, upon their own wretched servants. "Bring the girl to me," exclaims Procopio to his menial, "or the palace cellars shall hear thee squeak thy self-praise to the tune of the cord or the pincers"; and we are assured that this was no vain threat, but that, incredible as it may appear to outsiders, tortures too horrible to describe take place daily in the Rome of the present day. In fact, on another occasion, a wretched sergeant who connives at the escape of a patriot is reduced to a "shapeless mass" for this concession to humanity. Yet the atrocities committed by the cardinals seem to be nothing as compared to the hideous scenes which take place in convents. The General assures us that, having examined the convents in 1849, he found "in all, without an exception, instruments of torture; and in all, without an exception, were vaults plainly dedicated to the reception of bones of infants." Indeed, a certain hero on one occasion forces his way into a nunnery by an ingenious stratagem, and compels the superior by threats of instant death to guide him to a prison in which his mistress is confined. The superior manages to give him the slip, but he descends through mysterious passages, with trap-doors and false walls, until at length, guided partly by a most offensive smell, he finds his way into a chamber of horrors. Here against the wall "hung several human beings, suspended by the neck, the waist, and the arms, all but one dead, and more or less decomposed. The solitary exception was a young man, once of a fine form, but now an emaciated phantom." The young man is fixed to the wall by massive chains, and when his deliverer looks round for means of breaking them he finds nothing but horrible instruments of torture, which priests weakly describe as instruments for "the mortification of the flesh." The young man is of course freed, and relates a hideous story of moral corruption, the main point being that the superior had consigned him to this dungeon out of jealousy of his attentions to her younger companions.

We have perhaps gone far enough to explain the nature of the blessings enjoyed under the "rule of the monk." If a tenth part of the General's statements be true, most of the present rulers of Rome deserve summary execution or imprisonment for life. We will not attempt to describe the admirable race of beings who oppose their devilish machinations. Every Roman patriot is the quintessence of all that is most admirable in human nature. Elaborate plots are constantly going forwards in spite of the watchfulness of the police, and when the conspirators are discovered and surrounded by overwhelming numbers, all they have to do is to throw themselves courageously upon the base mercenaries, who instantaneously disperse in panic from before a tenth of their number. Occasionally the patriots have to take to the woods and live with certain virtuous brigands, where the "idyllic scenes" described by the translator take place. The Arcadian innocence of the persons concerned may be estimated by the fact that the marriage ceremony in an interesting case consists chiefly in an English heroine joining the hands of the contracting parties and pronouncing them to be man and wife. This "solemn act of wedlock," we are assured, is "none the less solemn nor binding" for being so celebrated. Attacks from the wretched set of cut-throats who form the Papal army occasionally interrupt these scenes of rural felicity, but when the tyrants appear the chief brigand always blows a horn, and a sufficient number of heroic patriots spring to all appearance out of the earth. It is a curious fact that, in spite of the most thrilling hairbreadth escapes, none of the virtuous are ever killed or seriously injured till the last chapter, when a general massacre takes place amongst the men, and the ladies go off to wait for a regenerated Italy.

We would fain hope that the stuff we have been describing was not really written by Garibaldi, but that some hoax has been practised upon the translator and publisher. However, it is a fact that the book comes out with all the external appearance of authenticity, and that the circumstance of its bearing Garibaldi's name has been enough to secure for it favourable notices from writers who ought to know better. Garibaldi has suffered before now from the indiscretion of his intimates, and we fear he has on this occasion been flattered into an exhibition of weaknesses which will give cause of triumph to his enemies. He was never credited with much worldly wisdom; but we could scarcely have believed, except from his own mouth, that he was capable of talking such nonsense as that which fills the *Rule of the Monk*. All that a reasonable admirer could say in its defence is that it exhibits the wonderful simplicity of the General's character. The book is like the first attempt of an enthusiastic and rather clever lad, after listening to a lecture on Rome from Dr. Achilli; and the politics are those of innocent young ladies who believe everybody who differs from them to be a black-hearted traitor. Such simplicity makes the book almost more pitiable than absurd, but it is not inconsistent with the possession of certain great qualities which in times of disturbance may convert a tenth-rate novelist into a formidable enemy. This strange mixture of absolute childishness with genuine heroism would make Garibaldi a far better hero, than author, of a romance; and perhaps, in days to come, some man of genius may create a new and striking character from the materials provided by his life and writings.

PEILE'S INTRODUCTION TO GREEK AND LATIN ETYMOLOGY.*

THE gain would be great indeed if the rapid growth of philological science implied a corresponding advance in the notions of average men on the subject of language. But it would be rash to infer anything of the kind. Not a few rise from the perusal of Professor Max Müller's Lectures under the impression that he has satisfactorily proved the derivation of Greek from Sanskrit; and there are probably still not wanting some who believe that Greek, Sanskrit, and every other tongue are all sprung from the Hebrew. For all such the volumes which give the results of recent philological research must present strong meat altogether beyond their powers of digestion, while even they who have really given time and thought to the matter may find themselves lagging far behind, if they are content with the philology of ten years ago. The discovery that the affinity of Sanskrit, Greek, Latin, and German was simply the kinship of languages related to each other as brothers, not as parent and child, made it certain that the analysis of words in all those dialects would lead to something like the restoration of the common speech from which they are all sprung. This work has already been so far accomplished that a Glossary has been published of the language spoken before the great separation which took the Hindu to Southern Asia, and the Greek, Latin, and Teuton to Western and Northern Europe, while faint indications seem to point to still earlier forms of speech which have been displaced by the stronger language of our common forefathers, but which have probably yielded some words to our still-spoken dialects. The task of searching out these affinities and genealogies of languages is strictly the work of comparative philology; but there is another field which is now attracting many workmen, and in which rich results cannot fail to be obtained, though to many the labour may not be very inviting. It is not enough to compare languages, unless we also examine minutely the peculiarities of each language. Nothing is more certain than the fact that the various forms of speech which have their source in the common language of our forefathers before the separation (whatever be the name to be given to it) have all been so developed that each dialect exhibits variations peculiar to itself, and that these variations follow rules which do not apply to other dialects. The law which bears the name of Grimm sets forth changes of sound belonging to all languages; but other changes found only in one or two languages must be sought by the analysis of those particular languages; nor must such changes be assumed in one language because they are found in another. To ascertain the nature and extent of these changes in Greek and Latin is Mr. Peile's object in the very able Lectures which he now publishes as an Introduction to Greek and Latin Etymology. "A phonetic change," he says, "is not necessary in Latin because it is found in Greek, or in Greek because it occurs in Sanskrit"; and he confines himself, therefore, to laying down certain definite principles of change in the Greek and Latin. This task leads him into much minute scholarship, and if his pupils generally have been able to follow him through it, the fact points to the existence of a larger amount of philological knowledge at Cambridge than Oxford can probably boast of. The result of this analysis is seemingly to establish affinities between some words where we should scarcely have looked for them, and to separate some others which we might have been disposed to place in the same group. Whether these results are in each case fairly borne out by fact is just the question, and therefore many of Mr. Peile's statements and conclusions must remain matters of controversy till the field in which he has already worked to such good purpose has been more fully explored.

That the marvellous wealth and flexibility which specially characterize the Greek language are owing chiefly to weakened articulation may now be regarded as an established fact, and the way in which this weakening has been made to yield both strength and perspicuity is one of the most interesting of the subjects handled in these Lectures. The process leads Mr. Peile back in each case to the common source of Greek, Latin, and Sanskrit; and for this common speech he wishes to substitute the name Indo-European, which modern philologists have rejected in favour of Aryan. The reason which he urges for the restoration of the older term is the absence of sufficient evidence "that the name was ever adopted by any other than the Asiatic branch of the family." The tracing of the ancient name of Aryan, which Professor Max Müller thinks that he discerns in Ireland, he regards as at the least very uncertain, nor does he look upon the connexion of the word Arya with the root found in *arava* as at all likely. He prefers therefore to connect it with the widely extended root AR, to fit, whence the derived word might pass into the later meaning of "worthy" or "noble" as the Sanskrit *sat*, (*a*)*sa(n)t*, passed from the sense of "being" into that of "true" or "good." The argument would seem to prove the fitness of the name as a common title, for Greeks and Teutons may fairly be considered as "noble" in comparison with the earlier inhabitants of Europe as the Hindu or Persian invaders by the side of the tribes which they drove out or subdued. The clumsiness of the term introduced by Schlegel certainly rendered the change to the Aryan name peculiarly unacceptable, and the mere fact that all the branches of the old race did not so style themselves will scarcely be regarded as a sufficient reason for rejecting it.

The results produced by the weakening of the old speech were

* *An Introduction to Greek and Latin Etymology*. By John Peile, M.A. London and Cambridge: Macmillan & Co. 1869.

of a mixed kind. In some instances they led to confusion, as when the first person singular and the third person plural of the Greek imperfect assumed the same form. It was otherwise with the inflexion of nouns. The fact that Sanskrit never possessed any different forms for the genitive singular and the nominative and accusative plural is sufficient proof that the more open vowel of this Sanskrit termination was also that of the older Aryan, or, as Mr. Peile terms it, Indo-European form. In Greek, as in other European dialects, this vowel was split up into three sounds, and the result was a great gain. Thus "the original *padas*," Mr. Peile remarks, "could be differentiated into πόδης for the gen. sing., πόδες for the nom. plur., and πόδας for the acc. plur. No confusion between the different cases was any longer possible." Yet this gain was insured by a process which had its origin in the mere desire for ease, or saying of sound, which has modified the old Aryan and Vedic *stava* into the corrupted Sanskrit *tara*; a fact proved by a comparison with our *star*, the German *stern*, the Latin *stella* for *sterula*, and other forms. But this weakening sometimes yields two or more forms of the same word in the same language, as in the Greek τρίπτω and στρίψω, and in these parallel forms we may probably look, not only for apparent, but also for some real exceptions to Grimm's law. In spite of the maxim that sound etymology has nothing to do with "sound," it is not easy to see in the Greek σπύχω a word unconnected with our *smoke*, and in spite of the law which generally regulates the changes of *p* and *f*, we can scarcely deny the identity of the Greek πόντος with the English *pond*. If Professor Curtius can give the equation, πόντος : τάρος = τίντος : πάθος : βάθος, we can extend the equation with our *path* and *pond*. It is undoubtedly true that by the laws of phonetic change our *call* points not to the Greek καλίω, but to γηνίω; yet this does but prove that both the forms have in some way or other, probably as dialectical varieties, been retained in the Greek. If the Greek ὄδος and ἔλκυνα, and the Latin *dens* and *lacrima*, point to our *tooth* and *tear*, we can scarcely refuse to connect the Greek ὄδος as a biting beast with the English *dog* as well as the Latin *tiger*, and to compare these with the German *Toggenburg*. Hence we are at least justified in pausing before we reject, as Mr. Peile insists that we must reject, "many etymologies which might otherwise seem most certain." Among such etymologies he places the identification of the Latin *deus* with the Greek θεός, because "in words derived by the two languages from a common source an initial *d* in Latin has regularly θ corresponding to it in Greek. Therefore, whilst *deus* must be referred, together with the Sanskrit *deva*, to an Indo-Ger. root DIV, 'to shine,' some other origin must be sought for θεός; perhaps ΘΕΣ, a secondary form of ΘΕ, the root of θεημι, though this is rejected by Professor Curtius (*Gr. Et.*, pp. 230 and 404, 2nd edit.) in favour of a distinct root ΘΕΣ 'to pray,' corresponding as he thinks to a Latin *fest* in *festus*, &c.; from which would be derived the curious word *θεσαρο* in Pindar, *Nem.* v. 10." Yet there can be no doubt that the Sanskrit *adeva* answers precisely according to the strict law of phonetic change with the Greek ἀθεός, and if this be so, the affinity of θεός and *deva*, with which Mr. Peile identifies the Latin *deus*, is at once established. It is right to test any explanation of a word to the utmost, but we may fairly demur to the substitution of a new root for words which seem to point in a different direction, unless there seem to be some tangible grounds for doing so. The word *festus*, which Professor Curtius refers to ΘΕΣ, springs clearly from the same source with *fastus* and *nefastus*; and these again seem clearly parallel to the Greek ὄδος and ὄδοντος, which can scarcely be referred to a root *thes* or *fest*.

The same wish to reject etymologies for which more than a presumption may be adduced, in favour of others for which we can scarcely say that there is a stronger presumption, has led Mr. Peile to question the origin of the Greek and Sanskrit words for *year* from the root *vas*, to shine. "One of the numerous Sanskrit names for spring is *vasanta*; the first part of this word is found in the Greek *ταρ* (for *tar*-*up*), in the Latin *vér* (for *veser*), the Lithuanian *wasa*-*ra* (but meaning 'summer'), the Slavonian *ves-na*, and the Scandinavian *vár*" (p. 89). The meaning of the word he regards as doubtful. "There are three distinct roots," he urges, "of the same form *vas* . . . but none gives a satisfactory meaning; the best perhaps is that which means 'to clothe'; so that spring should be the reclothing of nature; but this may be thought fanciful." Yet there are certain facts which seem to lead us in another direction. Thus, in the Rig-Veda, *Vasu* is a name for Agni, as the light god; clearly, then, the term *Vasu* corresponds with that of the Teutonic light-god *Loki*, and the conclusion seems to be forced upon us that the word *Vasu* is to be referred to the root *vas*, to shine. Why should not, then, the same root have furnished a name for the spring time, which suggests the idea of light quite as prominently as that of reclothing, if not more so? That this special name for spring, which reappears in the Greek *τριῶν* and *πτερ-ντι* for *πτερ-ντι*, the Sanskrit *paravat*, should be taken as a name for the whole year is a fact in strict accordance with other usages. Thus Professor Max Müller traces *sarad*, harvest, in the Persian *sāl*, the year, and *varshāh*, the rainy season, *prāvish* in the Veda, in *varsha*, also meaning the year; while the fact that *hiems* and *χειμῶν* were used to denote a period of twelve months is shown by the words *bim* and *trīm*, as denoting two or three years or winters old, and by the Greek *χιμάρη*, a name for the goat, but strictly for a winterling goat, although it furnished a name for the demon of winter slain by Bellerophon.

We are not surprised when we find Mr. Peile objecting in the same spirit to the explanation assigned by Professor Max Müller

and other philologists to the Aryan words *father* and *mother*. He cannot help suspecting that these words, "denoting as they do one of the simplest and earliest relationships, may possibly have been a legacy received from a still more distant time, remnants of an utterly perished language, brought down in some simple form, and afterwards fashioned by our forefathers, so as to lose what was strange in their appearance, and be capable of being refined to a known Indo-European root and suffix. Certainly the first syllable of each word seems marvellously like the language of nature." This is only saying, in other words, that the first syllable in each of these names is simply the language of babies in all lands. But it is strange that in the Sanskrit *pitar* the vowel has been even more weakened than in the Teutonic *father* or the Greek *πατήρ*, while the affinity of the Sanskrit *dasa-patni* with the Greek *δεσπότης* and the Latin *potes*, *potens*, &c., can scarcely be questioned.

It is worth noting that, on the subject of roots in themselves, modern philologists as a body seem to be drifting away from all theories which see in them the result of a process which did its work in the production of language and then passed away—that process, in short, which Professor Max Müller compared to the different ring of metals. Mr. Peile cannot admit any inherent necessity that *de* should mean to give, because in any case that necessity would only exist for one family of mankind. The terms are arbitrary signs; but although he firmly holds that "all language sprang originally from imitative or interjectional sounds combined" (p. 26), he also holds that the connexion between the words and the ideas which they express is never discoverable with certainty. The conclusion throws cold water on many speculations like those of Mr. Farrar and Mr. Wedgwood, and at least it will be admitted that far more caution is needed in such speculations than is exercised by the latter. We believe that Mr. Peile is substantially in the right, and that his book may be accepted as a very valuable contribution to the Science of Language.

FINLASON'S HEREDITARY DIGNITIES.*

WE have made several attempts in perfect good faith to read through this thin book. But human nature is frail, and we have fairly broken down as often as we have made the attempt. A law book pure and simple may be very dull, and yet it may be an effort to read through on occasion, not only by a lawyer, but by a layman of fairly robust literary digestion. That an historical narrative may be very dull, and yet that a sense of duty may carry a man through it, we and all our craft are living examples. Nay it is rumoured that men have read Diodorus Siculus from beginning to end and still abide, alive and well. But Mr. Finlason is beyond us. Years ago, before our own literary birth, some vehement critic spoke of an offending editor as having so overwhelmed his author with foot-notes as to make his book "a very *podagra* of literature." The same torture which the forgotten editor inflicted on his forgotten author Mr. Finlason has, possibly in the spirit of a Yogi, inflicted on himself. There are no chapters or sections or breaks or marginal analyses as resting-places or as guides through the wilderness. But in each page there are a few lines of what seems to be meant for law, and below it a much greater number of lines of what seems to be meant for history. As for the aim and object of the thing, what the text is about and what the notes are about, the brain grows dizzy on even approaching such insoluble puzzles. We do however carry away two rather vague notions. One is that Mr. Finlason thinks the House of Lords quite wrong in its decision about the Earldom of Wiltshire. The other, the less vague of the two, is that Mr. Finlason is desperately angry with King Henry the Fourth and thinks him a wicked usurper.

But notwithstanding our sad breakdown over the book as a whole, we have made out that it is curious, and withal that, in its own way, it is useful. It is useful as showing how utterly different are the points of view of the historian and of the mere technical lawyer, and how profound an ignorance of history, even of the history of law, is consistent with what we do not doubt is an equally profound knowledge of professional law, even in its black-letter department. A black-letter lawyer is in short very like his own peculiar alphabet. People call it Old-English, till they find out that there are English alphabets older, and that the older are the easier to read of the two. So it is with the law itself. There is a peculiar sort of lawyers' law, law which has grown up by inference from this or that supposed principle, law which is so far from ever having been enacted by King or Parliament that it is hardly so much as judge-made law—law in short which has simply grown up in books and has been handed on from one compiler to another. It is wonderful how much of this kind of law has been swept away by modern legislation, and how often modern legislation has—if unwittingly, all the better—actually brought us back to the simpler state of things before lawyers' law began. Take for instance one rule which bears directly on the case of Mr. Finlason's enemy, King Henry the Fourth. What doctrine can be dearer to the black-letter mind than the doctrine that a Parliament is of necessity dissolved by the death of the King who summoned it? Endless precedents can be brought to show that it is so, and a heap of subtle arguments can also be brought to show that it must be so.

* *A Dissertation on the History of Hereditary Dignities, particularly as to their Course of Descent, and their Forfeiture by Attainer, with special reference to the case of the Earldom of Wiltshire.* By W. F. Finlason, Esq. London: Butterworths. 1869.

Does it not draw its being and authority from the King's summons, and when the King who summoned it dies, must it not die too? Hear what Mr. Finlason has to say about that wicked assembly, the first Parliament of Henry the Fourth:—

At the time, then, that Henry summoned his first Parliament, after gaining by a trick and surprise an uncertain and disputed and disturbed possession of the Crown, he was not *de facto* sovereign—certainly not *de jure*; and the pretended Parliament he assembled was not, for a reason pointed out by all historians, a real or lawful Parliament, because the Commons were not returned or elected, but those who had already been returned, and who, no doubt, were known to be the usurper's creatures, were ordered to sit again. This, it is obvious, was no real Parliament, and it was at this pretended Parliament the only proceedings took place as to the earldom of Wiltshire.

An Englishman of an earlier age, whose ideas had not been enlightened or confused by the subtleties of feudal jurisprudence, might perhaps have looked on King Henry and his Parliament with somewhat gentler eyes than those of Mr. Finlason. He might not have committed himself to any moral approval of all the doings of the deliverer who landed at Ravenspur, but he would at least have seen a perfectly lawful King and a perfectly lawful assembly in the prince and the Parliament whose mere being stirs up Mr. Finlason's wrath so terribly. Instead of accepting as a law of nature that Parliament was dissolved by a demise of the Crown, he would have demurred to the notion of a demise of the Crown at all; he would have argued that there was no time when it was more needful for the assembly of the nation to be up and stirring than in the critical moment of an interregnum. He would have seen in this unlucky Parliament a body which had just discharged the two highest duties which a national assembly can be called upon to discharge, by deposing one King and choosing another. It would not have come into his head for a moment that there was any reason on earth why the same assembly should not go on to do any other acts that might be needful for the public good, whether attainting the Earl of Wiltshire or anything else. And as our supposed visitor from early times would have been in no way puzzled by what happened in 1399, so neither would he have been in any way puzzled by what happened in 1688-9. But what happened at this last date ought one would think, very greatly to puzzle Mr. Finlason. Mr. Finlason ought to stumble not a little at the sight of a body called not a Parliament but a Convention, gathered together by the writs of a person who at any rate was not King, which took upon itself to declare the throne vacant and to make its own summoner and his wife King and Queen, and which was then turned into a Parliament by the act of the King and Queen whom it had itself just made. How Mr. Finlason, how any technical lawyer, gets over these difficulties we do not know; but to a mind fresh from the study of the oldest English jurisprudence they offer no difficulties at all. It matters not whether a body is called Convention or Parliament, whether it is summoned by the King's writ or in some other way, in either case the Lords and Commons are the Lords and Commons, and, in 1689 as in 1399, they exercised their last and greatest power by deposing one King and choosing another. And having done this, exactly as in the former case, they went on to act as the ordinary legislature of the country. It may, for aught we know, make some difference in Mr. Finlason's eyes that a statute of Edward the Fourth declared Henry of Bolingbroke to be a traitor and an usurper, while there is not any statute of James the Third or Charles the Third pronouncing the same anathema against William and Mary. The great point, however, seems to be whether the Act of Edward the Fourth was or was not repealed by another Act of Henry the Seventh. It seems clear that Henry the Sixth was perfectly rehabilitated, but Mr. Finlason rules with a good deal of glee that Henry the Fourth was not. Lord Macaulay and the Commons in the Convention thought otherwise, and the same Convention treated with merited scorn the technical quibble by virtue of which Mr. Finlason would have us believe that the first Parliament was no Parliament. And as for Parliament continuing to sit after a demise of the Crown, the wisdom of Parliament has come to our help against the fancies of the lawyers. A demise of the Crown no longer immediately dissolves a Parliament, and in this reform, as in so many other reforms, we have but gone back to what was law in the days before lawyers.

The wrath of Mr. Finlason against Henry the Fourth is so overpowering that he thinks it needless to pay the slightest attention to accuracy with regard to his ancestors or his descendants. It is quite a new fact in the history of Hereditary Dignities that Thomas of Lancaster ever bore the title of Duke (p. 35), and their "course of descent," according to Mr. Finlason's system, must be very odd, if Henry the Seventh was, as Mr. Finlason (p. 81) calls him, a "descendant" of Henry the Fourth. Blunders of this sort are just the things which are unpardonable in a book of this sort. Mr. Finlason would probably not understand our objections to his saying that Simon of Montfort was slain "in open treason and rebellion against his sovereign," because that is not a question of fact but of principle. But a lawyer, and a lawyer who takes on him to set the House of Lords right, should surely know the difference between a Duke and an Earl; he should surely know when Dukes first appeared in England, and especially he should know that the descendants of a man's illegitimate (though legitimized) brother are not his own descendants. If we were claiming an estate or a title, we really should not feel safe with Mr. Finlason for our counsel. We stared too a little at the heading of two pages (pp. 65, 67) "Indemnity different from Attainer," "Indemnity not an Attainer." Our first thought was that an indemnity and an attainer were things so utterly unlike one another

that no mortal man could need to be told that they were not the same thing. Could any man ever have fancied that to be pardoned and to be hanged were the same thing?—in England, at least, we mean, for the Scotch phrase of "justifying" a man really does seem open to the charge of this very ambiguity. But, after some searching, we believe that we have found out that Mr. Finlason means that the attainer of a man who is killed cannot be inferred from an indemnity granted to those who have killed him. Likely enough if it is a mere indemnity, but what if the Act declares the slaying to have been good? Still anyhow no one could have guessed from the heading "Indemnity different from Attainer" that it meant that an indemnity granted to A was different from an attainer passed upon B.

Mr. Finlason's little book is throughout a memorable example of the kind of havoc which the mere lawyer makes when he deals with history strictly so called. The mere technical lawyer's mode of study is as remote as possible from the study of original authorities. If he be very easily satisfied, it is enough for him that a thing is in his *Blackstone*. We have known lawyers who believed that "the feudal system" was brought into England in a particular year, simply because *Blackstone* said so, and they could not in the least understand anybody appealing from *Blackstone*. If he is rather more inquiring, he goes back to *Hale* and *Coke*, possibly even to *Bracton* and *Fleta*. But then he deals with these several authorities, not simply in their true functions as witnesses to what was held to be law in their own times, but as inspired teachers, laying down with infallible certainty what was law in ages long before their own. Of course the number of positive errors brought about in this way is not small, and a habit is engendered of looking not to primary but to secondary authorities. Mr. Finlason shows this in the most ludicrous way. Even when he forsakes lawyers for history, he has no notion of the difference between an original writer and a modern compiler or commentator. He gets at his *Beda* through *Lingard*, at his *Roger of Howden* through *Hume*, at his *Rymer* through *Hallam*; nay, what is of less moment, but what is almost more ludicrous, he gets at his *Lyttelton*—Lord *Lyttelton* we mean—through *Hallam* also. The thing is done in the same perfect simplicity and good faith as when it is done by a "new-made baccalauree" writing for a prize essay. We need not say that Mr. Finlason's notions of early times are not a little diverting. Of course he has not the faintest notion that everything has not been hereditary from all eternity. It would be almost worth while to buy Mr. Finlason's book, just to enjoy the grotesqueness of his notions about Earls and Earldoms. And he stumbles as usual when he gets among the mysterious ladies whose names end in *-gyth*.

Thus it appears that at the time of the Conquest two brothers held the great earldoms of Mercia and Northumbria, and that they had a sister *Algitha*, who, it appears, had no earldom. (*Sir F. Palgrave's History of the Saxons*, c. 14.) On the contrary, it is clear she had none, not only because it is not mentioned, but because afterwards we find her son appointed to the earldom of Northumbria, not succeeding to any that she had held. Yet if the Saxon rule of inheritance had been applied, some part of those enormous earldoms must have come to her. As it was, she no doubt had some private possessions, but no earldom.

Who would dream that in these "two brothers" lurked the famous names of *Eadwine* and *Morkere*, and that the sister who "had no Earldom"—why not say, who had not the sun and moon?—was *Ealdgyth*, the widow of two Kings. But we are wellnigh smitten to the earth at the notion of a son of *Ealdgyth*—therefore a son either of *Harold* or of *Llywelyn*—succeeding to the Earldom of Northumberland. We look to the next page and we find a pedigree for which other people would go to *Simeon*, but for which Mr. Finlason goes to *Roger of Howden* via *David Hume*. *Gospafric* was made Earl of the Northumbrians, "erat enim ex matre *Algitha*, filia *Uthredi Comitis*." *Uhtred* and *Ælfgar*, Northumberland and Mercia, are exactly the same to Mr. Finlason, and, for aught he knows, *Gospafric* may have been a son of *King Harold*, manfully fighting at the age of three. What if anybody should think that *James the First* was a son of *Charles Brandon*, Duke of *Suffolk*? "Erat enim ex matre *Mariæ*, *Francorum Reginæ dotaria".* Indeed in Mr. Finlason's style of genealogy the Virgin Queen herself might be easily turned into her own grandmother.

ROLAND YORKE.*

ONE of the morals preached in *Roland Yorke*, if it does not disarm criticism, ought at least to warn critics of their grave responsibilities. Mrs. Wood's tale appeals to our interest in its broad sensationalism, but there is a side flow of quiet domestic pathos as well. The most attractive of her characters is a literary angel in human shape, with a brightness which he evolves rather than reflects; with a heart to feel for all mankind, and a tremulously sensitive genius, jarred to misery and death by contact with the hard realities of life. Like Keats, he dies of cruel critiques, and in all seriousness Mrs. Wood makes his a touching story. To be sure he was a novice struggling up from obscurity to fame, morbidly anxious to have the gifts of which he was conscious recognised by the voice of opinion. Mrs. Wood, on the other hand, has a name as a popular novelist. But for our own sake, if not for hers, we are reminded that we must pronounce according to our conscience, and that the reviewer is not absolved for doing injustice because his victim can cure the wounds with the antidote that comes of a certain reputation. We trust Mrs. Wood

* *Roland Yorke*. By Mrs. Henry Wood, Author of "East Lynne," &c. 3 vols. London: Richard Bentley.

may have no just reason to complain of our appreciation of her work. Her story aims at the interest that comes of excitement, and it does excite and interest us as well. In our opinion it is the best she has written since *East Lynne*, and it has both the merit and defects of the novel that brought her into notice.

It is of the school of literature that Emile Gaborian purveys for the *feuilletons* of Paris, and if the plot is less subtly constructed than those of the generality of the Frenchman's productions, still it is evident that its author has bestowed upon it some little pains. The opening scene is a horrible, seemingly motiveless murder, and the suspicion of its perpetration floats ominously over the heads of not a few of the personages. We recognise the practised writer in the art with which our doubts are shifted hither and thither while our instincts point to the criminal. Presumptive evidence leans heavily one way. Yet all the time conflicting forces are at work. Facts cropping up and hints thrown out keep our eyes riveted on the wavering balance. If the novel is to be read rapidly, with a liberal credulity, it may be pronounced a good one of the sort. But if we subject it, as we read, to the most cursory scrutiny, we cannot away with the concessions to gross improbability continually demanded of us. "There are strange coincidences in this life," Mrs. Wood makes one of her characters observe towards the end of the story, apparently in a fit of remorseful alarm at the freedom with which she has indulged in them. Strange, indeed, and plenty of them, we echo back, if *Roland Yorke* is to be taken as a picture of life. The story of the preliminary suicide, which we perceive at once to be a murder, and on which all the rest turns, is told in a prologue. Years elapse and the sequel unfolds itself in London. It opens in a lawyer's office there. The chambers are occupied by the principal, his confidential clerk, and three subordinates. What, we ask, are the odds against the circumstance that these five men fortuitously assembled had all some connexion, more or less direct, with the crime perpetrated years before in a midland town? Yet so it is. Then Roland Yorke, the hero, takes lodgings in London. His landlady, her sister, two other lodgers, and naturally most of their visitors, were mixed up in the same business. All through the book every one runs up against every one else in all sorts of unlikely places and all manner of marvellous circumstances. The characters, or many of them, are more or less telling, but after all we hesitate whether we are to take them for portraits or caricatures, and we are left to our doubts. They interest us rather as the actors in a melodrama than as those in a tragedy. A detective officer is of course a prominent figure. Strange to say, in obedience to the exigencies of the fiction, he has his home assigned him in the county town where the story opens. Later, he moves conspicuously in the best detective circles of the metropolis; although we question much whether the aristocrats of Scotland Yard usually delight to honour their provincial brethren in this way. Nor does the village Vidocq seem to have the qualities to make his way in his profession; in short, we should say he had mistaken it altogether, and so, we had fancied, thought the author. We read his exploits at first as a satire on secret agents. Mr. Butterby twice arrests the wrong person, he is always blundering away on false scents, he is continually bragging of his ability and tact, and, as the logical consequence, perpetually illustrating his want of the one and the other. Yet, independently of the respect with which he is treated at headquarters, he is permitted to make one or two shrewd discoveries denied to his fellows, and if his hand does not ultimately tear aside the bloody veil, at least it lifts a corner of it. When at last she solves the grand mystery of the book, Mrs. Wood leaves us puzzling over the minor mystery of Mr. Butterby's real value and merit.

Roland Yorke, the hero, has a good deal that is singular in his composition too. He has had his fair share of the ups and downs of life. Son of a baronet's brother and a peer's sister, his lady-mother, who still exhibits some love for him on occasion, lets him nevertheless be driven to such extremity that he is on the eve of setting up as a peripatetic pie-merchant in Whitechapel. After knocking about for seven years in the colonies, whither he goes with two dozen frying-pans as his stock in trade, and where he just manages to keep body and soul together without any remittances from home, he returns simple-minded and outspoken as a child. After that dangerous ordeal he remains honourable as the day, yet there is an unpleasant episode in his boyhood, about the appropriation of a cheque, which we never quite get to the bottom of. With it all, we don't care to scan his idiosyncrasies or his antecedents too closely, for we confess we like him. So did Miss Channing, a sage but fascinating young lady whom he persuades to engage herself to him. Yet he must have been a trying lover for a girl of ordinary susceptibilities. He had the most unhappy knack of saying the wrong things to the wrong men, stumbling morally over people's toes, and generally rubbing them up the wrong way. In no sense could the engagement be called a prudent one. He had a temporary situation at a pound a week, and demonstrates, when out lodging-hunting, his knowledge of the value of money by eagerly closing with some rooms that seemed to suit him for which that was the precise sum demanded. Second thoughts, to be sure, reminded him that a man must eat to live—a fact which we should have thought must have been hammered into any one's head by a course of dinnerless experiences at Port Natal. When he does chance to make prize of a stray shilling in his pockets, he proceeds forthwith to throw it away; yet the young lady's engagement has the warm consent of her brother, a careful although generous man, with a family and household of his own. It is quite clear to us, if not to them, that Roland's destiny, if he is to work it out for himself, is likely to be a death in the workhouse. Fortunately

Providence comes to the rescue, and we are glad of it, for he is a very good fellow, and no one's enemy but his own. It turns out, although neither he nor any of the worldly characters who have been so hard to him have realized it—not even his own intensely shrewd and selfish younger brother—that all this time he has been next heir to a baronetcy and 4,000*l.* a year. His brother bags the baronet on pheasant-shooting, and Roland subsides for life on a bed of roses, having the good sense to make his more prudent wife mistress of the purse.

We might proceed to analyse most of the characters in the same way, and it says a good deal for Mrs. Wood's powers of narrative that her story should show so smoothly as it does, interwoven as it is with a tissue of extravagances and incongruities. There are more venial faults that strike us more forcibly. For instance, it would be all the pleasanter if Mrs. Wood could shake herself free from her mannerisms. We should be sorry to have to count up how often "his heart was good to do" so and so recurs, or how frequently "simple Roland," "outspoken Roland," Roland prefaced with similar epithets, is repeated. The phrase "fit to"—"Gerald was fit to die of mortification," for example, as Miss Channing says—reiterates itself oftener than either, and is much more offensive than either, for it is a vulgarism as well as a mannerism. Nor, in talking of "wearing a vista," or "fostering a book upon the public," has Mrs. Wood perhaps altogether caught the import of the words, unless, indeed, as is more charitable to suppose, she omitted to revise the proofs. In writing a sensational novel, a certain lingering over the horrible may be excusable, and an author's own feelings must be the guide how far it may be indulged without trenching on the disgusting. For our part, we thought Mrs. Wood detained us unnecessarily long among the ghoul-like details of the graveyard when the supposed suicide is buried in the opening chapter. "The interment was fixed for next Friday week, which, taking the heat of the weather and sundry other trifles into consideration, was a little longer than it need have been." We set out by saying that we found the novel interesting, and yet we may seem to have laid ourselves open to Mrs. Wood's parable, and passed over to the side of the unjust critics she condemns. But this is precisely one of those books which might be dismissed in a single sentence with less qualified praise, but which must receive harder measure in an article. We hesitate the less to point out the faults because it is probable that Mrs. Wood could do better if she pleased. We have said that she has paid some considerable attention to the working of her plot, but the framework of its machinery shows unmistakable evidences of the most hasty construction. It would have cost her more thought and trouble had she left the personages of the prologue scattered about the country, or even about London. But the violence that thrusts them all neck and crop into a couple of houses, where she can lay her hand on them when she wants them, is only worthy of the simplest artifices of the primitive *improviseur*. The episode of the two literary friends is in the main a felicitous one; the one happy in his family, making them the innocent participants of the hopes he builds on the fortunes of the book at which he is labouring, while the other, whom in every way he is benefiting both openly and in secret, requites him and gratifies his own jealousy by blasting the hopes he has cherished, and writing him into the grave. Here again, however, we have absurdity within absurdity. A single second-rate writer influences, it seems, all the leading reviews, and is suffered in one of the first of them to review a book of his own writing. Some of the scenes that pass in the family of the dying man are pretty, and even touching. But James Channing has so much of the angel, and so little of the man, not to say of the devil, in him, that our sympathy is etherealized, and dissipates as fast as it rises. When he withers up under the breath of injustice, we feel that he is only fulfilling his manifest destiny, and being chloroformed out of a world he was never meant for. After all, the province of the novelist lies in fiction, not in dreamland. One prefers natural scenes—grand and gloomy if you will—to a succession of startling surprises and a series of impossible coincidences.

JUDEO-ARABIC METAPHYSICS.*

Given that most complex and fragmentary body of literature, ranging from times beyond historic ken down to the fulness of Hellenic culture, which we call collectively the Old Testament; given further those mazes of legal enactments, gorgeous day-dreams, masked history, ill-disguised rationalism, and the rest, which form the Talmud and the Midrash; given also the Kabbalah, and, finally, Plato and Aristotle as developed by Jews and Mohammedans either on the basis of their fundamentally identical creed or independently—what was the attitude of the Synagogue towards all these elements, as far as they treated of the first problems of all religion and all philosophy? What was the process whereby the widely diverging statements and speculations on Creation, the Soul, the Hereafter, the nature of the Deity, contained in those authorities, were sought to be blended and harmonized so as to satisfy both Jewish faith and thought?—a faith fervent and passionate beyond measure, to which all visions and all transcendentalism and allegories were so many historical facts, for all of which death was sweet and holy—and a boldness of thought which, with all reverence, frankly said, as Socrates had said, "That divinely revealed wisdom of which you speak I deny not,

* *Studien über jüdisch-arabische Religions-Philosophie.* Von Dr. A. Schmiedl. Wien: 1869.

inasmuch as I do not know it; I can only understand human reason." The everlasting battle between reason and blind belief in "that which is written" was fought with very grim seriousness in the early period of the middle ages within the bosom of the Jewish Church. And while we survey the history of that controversy as it was taken up and continued in the Christian Church, we blush to find, from the very days of Albertus Magnus, the Doctor Universalis, and Thomas Aquinas, the Doctor Angelicus, down to our own, perfect nests of arguments both on the side of orthodoxy and of rationalism, unconsciously perhaps, but most unmistakably stolen from the mediæval successors of those same Rabbis to whom Jerome owed his Vulgate-lore. To write a history of Jewish metaphysics would indeed be an undertaking worthy to rank with the highest, most difficult, and most interesting and instructive tasks; especially if attempted as a contribution to the history of human rationalism. The religious development from, say, Hillel the "freethinker," who calmly compressed all the Law and the Prophets into the familiar "Be good, my dear," to Maimonides, the "Great Eagle," who more explicitly and scientifically lays down the supreme axiom that every word of the Bible must either be in accordance with rational conclusions or be explained "metaphorically," and who totally denies an "individual" working of Providence; and on to Baruch Spinoza, in whom Goethe—how much of this nineteenth century besides?—lives and moves and has his being—this would indeed be goodly work for a whole life-time.

Our author has not attempted anything so ambitious. Very far from it. He is satisfied with gathering a few mosaics from the discussions on these metaphysical topics in the Judeo-Arabic schools; and we are duly grateful. In the circumscribed field which he has chosen he has worked conscientiously, and on the whole very successfully. But the curse of wishing to write "popularly" has been upon him, and consequently, being bereft of that very special gift of enthusiasm which is akin to poetry, and which at times is found to lend a strange charm even to the most abstruse subjects, he has so far failed. The mere discarding of learned notes is not always sufficient to make a book either striking or pleasant. Nor has Dr. Schmiedl always been happy in the methodical arrangement of his subjects; whence spring repetitions of a needless and very tedious kind. There is also a looseness of style and language which a little care would have obviated. Having delivered our soul of these slight objections, we shall give a brief glance at the varied contents of the volume itself.

The first disquisition or chapter—the subject of which is taken up again in the second—treats of the Deity as conceived by Jewish philosophy. The existence of God is of course presupposed; or it would no longer be Jewish philosophy. But what about His attributes? Has He any? Scripture, literally taken, seems to affirm this. Yet, taken in a higher sense, as understood by the Alexandrines, the Targum, and the Talmud, it denies it. Philosophy, on its part, found a *contradiccio in adjecto* in an absolute Being or Supreme Cause, the sole essence of which is its Oneness and Uniqueness, being considered, either subjectively or objectively, as presenting qualities or *accidentes*. This contest between the "Attributists" and "Nonattributists" was indeed one of the fiercest and bitterest, and each camp boasted of brilliant champions. But the latter carried the day, led by no meaner authorities than Ibn Ezra, Jehuda Halevi, and Maimonides. The last of these goes the length of calling the view of his antagonists anti-Jewish. "As well might you say at once that 'He is One but rather Three, besides being Three but rather One.' If you give attributes to thing, you define this thing; and defining a thing means to bring it under some head, to compare it with something like it. God is sole of His kind. Determine Him, circumscribe Him, and you bring Him down to the modes and categories of created things." The Talmud in its characteristic way relates the story of a preceptor who heaped divine epithet upon epithet, and whom a master asked when he had finished—"And have you now quite exhausted God's good qualities?" The Psalms speak of "silence" as the best mode of praising God. Nor is the endeavour which goes through all post-exilian literature, of finding a kind of medium between the Inconceivable and the world of matter, foreign to this notion. "Word," or "Holy Ghost," or "Shechinah," are the forms under which Judaism at that early period tried in its speech and thought to approach that which itself, shrouded in the ineffable mystery of the Tetragrammaton, was beyond human thought or approach. Indeed, we should say that the whole Angelology, so strikingly simple before the exile, and so wonderfully complex after it, owes its quick development on Babylonian soil to the same awe-stricken desire which grows with growing culture, removing that inconceivable *Ens* further and further from human touch and ken. At the same time the Talmud protests against anything like the notion of angels interceding on behalf of man. They are nought but messengers, created for the purpose of their message. More clearly still does Maimonides call every natural law, every being, animated or other, so that it fulfils a certain behest, an "Angel." Thus, he says, a prophet is an angel; the elements are angels; the stars are angels; and so are the sea, the winds, and the human intellect. When the Talmud speaks of God as having consulted the angels ("the Circle or Family above") in the fashioning of every part of the human organism, this, he says, shows that everything in creation is done in accordance with the manifold laws of nature, each ruling over its own sphere, and all coming more or less into play in the complicated human frame. Again, when the

Talmud reduces the number of angels whom Jacob saw in his dream at Bethel to four, two mounting upwards and two descending downwards, it merely hints at the wondrous weaving and working in the Cosmos by the four fundamental elements—fire and air which strive upwards, and water and earth which tend downwards. And, as if to leave no doubt, the Talmud had further called thinking man superior to the angels. This dictum, however, was fiercely contested in the mediæval schools. Is man greater because he has a will and may struggle against evil, while the angel can only do what he is bidden? or because man is the centre of creation, even as the earth, according to the astronomy of the period, rests in the middle of the universe? And some schools unhesitatingly doubted and denied the very truth of this opinion enunciated by the Talmud. Is man greater than other creatures? And is he the aim and end of creation, or merely the most perfect organism on earth? Saadia holds the former, Ibn Ezra and Maimonides hold the latter, view. Scripture, argues the first, calls angels "divine beings," and the stars (which the "angels" are supposed to be moving) "sons of God." But remember, Ibn Ezra says, how infinitely larger certain stars are than the whole earth, and do you think that the inconceivably vast host of the heavens can be meant for, and inferior to, the small dust-born human being? Still more sharply does Maimonides ridicule the very notion of "stars or angels" being made for the sake of man, who by the side of these "intelligences" sinks into utter insignificance. The practical consequence of this discussion was that the "honourable mention," not to say "invocation," of angels—which had been stamped out by the Talmud, and which had grown up again by stealth under foreign influences—now received its death-blow. Even the minor masters call it rank idolatry. And the Kabbalists, to whom Angelology is almost the first condition of religious existence, are forced to plead that all those endless varieties of their holy names are but so many anagrams of divine and biblical epithets, and that it is God and not "Patrons" whom they invoke. To stretch the point to the utmost, it was distinctly denied that when Joshua prostrated himself before the angel, he intended to show the angel any reverence. He bowed down before Him who had deemed him worthy of a message—even as a man shows honour even to a dead piece of paper which comes from some one he reveres.

Among the many topics further touched upon in the book before us, such as prophecy, metempsychosis—the notion of which, we may passingly observe, Saadia calls "sheer insanity"—the resurrection, allegorism, &c., we would fain have dwelt somewhat more fully upon the Anthropomorphisms and Anthropopathisms in the Bible, with which Judaism, properly so called, had from the beginning dealt unsparingly. From the Targum, which scrupulously effaces every term which might lead to the thought of a corporeal existence of God, to the Midrash, whose most daring protest against the human similes used even by the prophets Maimonides approvingly quotes; from the broad axiom of the Mishnah, that these things are not to be taken literally—"the Thorah speaking merely in a human way"—to the days when Yedaya Penini could say that at last this Anthropomorphic absurdity had been finally driven even from the obscurest brains—we find one endless series of attempts to get rid of all materialistic interpretation of undoubtedly materialistic terminology. Rough, indeed, is the manner in which Maimonides disposes of the "Voice" on Sinai, or God's "descending thereon"—which the Talmud already declares to be but a figure of speech—and nothing can be more characteristic than the almost contemptuously good-natured manner in which he finally allows the hopelessly unthinking to do as they please about these things. "If some of the shortsighted will not rise to the step to which we endeavour to lift them, let them by all means imagine all such terms (Angels, &c.) to refer to something material—no great harm will come of it." It was indeed only the devotees of Cabala and Karaism who still protested against these rationalizing Talmudistic views, and their end has been either petrifaction and death, or, worse still, coarse imposture and religious delirium.

We here take leave of our author, grateful for his suggestive and learned "Studies," and hoping soon to meet him again on the same field. But let him not be afraid of bringing with him his whole apparatus next time, however bulky it may be.

FRENCH LITERATURE.

M. ALBERT DESJARDINS has taken as the subject of his new volume one of the most interesting chapters in the whole history of modern literature*—the development of moral philosophy during the sixteenth century. He begins by showing what the mediæval Church had done in that direction, and then, in a series of carefully drawn portraits, he describes the "secularisation," as he calls it, of ethical teaching in the works of Charron, Montaigne, Du Vair, La Boëtie, Bodin, and other thinkers of the same school. The principal ambition of the French moralists of the present day is to prove that religion is not the only source from which we can derive a rule of life; M. Desjardins assembles in his gallery the leading representatives of *la morale indépendante* three hundred years ago, and invites us to draw from the study of these characters our own conclusions as to the chances of success of a system which is now so enthusiastically proclaimed to be the only religion, if we may so say, of regenerated Europe. The in-

* *Les Moralistes français du seizième siècle.* Par Albert Desjardins. Paris: Didier.

introduction of M. Desjardins's volume is extremely suggestive, but we are obliged to take exception to some of the statements it contains. We cannot understand, for instance, why the ethical teaching of the Church during the middle ages should be found fault with as deficient in "originality." Surely the most anti-clerical of all modern philosophers would not venture to propose any other system of morality than that which was inculcated by Socrates, Aristotle, Marcus Aurelius, and Cicero; and, compared with the teaching of these great men, the ethical theories of the Church were so far "original" as they contained an element which the Gospel alone furnished them with. And, besides, is it quite right to say that morality "was imposed by authoritative decrees," on the ground that the ministers of religion enforced upon their parishioners the duty of following the precepts contained in the Decalogue and the Sermon on the Mount? However, when M. Desjardins comes to give a general estimate of the moral system taught by the independent thinkers of the sixteenth century, he is obliged to acknowledge that it was miserably deficient, and that sceptics like Montaigne and Charron, with all their sincere desire to do good, did not succeed in building up a solid structure after having first carefully cleared away the very foundation on which such a structure could alone be erected.

We are glad to have to notice a third edition of M. Fustel de Coulanges' work, *La Cité antique*.* It has been already reviewed in the columns of this journal; but, in announcing its reappearance in a cheaper and popular shape, we cannot help reminding our readers that no modern writer has done more than M. Fustel de Coulanges to explain the character of society amongst the Greeks and Romans, and to show how their various political institutions arose from their particular ideas about the soul and the state of man after death, and how these institutions developed and expanded themselves around the domestic altar as their mystical centre. M. Fustel de Coulanges has been so successful in this volume that we hope he will be encouraged to take up some other subject connected with the laws and the government of the nations of antiquity.

Amongst all the intricate problems which history presents to us the identification of the celebrated Man with the Iron Mask may certainly be considered as one of the most curious and the most hopeless. Let our readers imagine then the interest with which the news was received, a few months ago, that the problem had been discovered, and that no further mystery now concealed the unfortunate prisoner who for so many years remained the victim of the despotism of Louis XIV.† M. Marius Topin conducted his investigation in the most provoking manner; instead of telling us from the very first who was the Man with the Iron Mask, he adopted a process of elimination, and, in a series of articles originally written in the *Correspondant*, told us who he was not. The list of suspected personages was, it will be remembered, a long one, and accordingly the curiosity of the reading public had reached its highest point when we were informed that the mysterious stranger was no other than the Count Hercules Mattioli, Minister of Charles IV. Duke of Mantua, who had deceived both his master and Louis XIV. during the negotiations for the cession of the fortress of Casale to France. M. Topin has evidently studied the problem with the greatest care, and his arguments in favour of the identity of Mattioli with the prisoner are extremely ingenious. Most people, however, imagine that a man about whom so many precautions were taken could not have been merely the agent of a very inferior kind of potentate, and it may still be doubted whether the book before us, able as it is, supplies the key to the mysterious problem. At any rate M. Topin has the merit of once more calling attention to a curious historical episode, and of presenting us with a very interesting and well-written volume.

M. d'Haussonville has now brought to a conclusion his excellent work on the relations between Napoleon I. and the Papacy.‡ We see the negotiations which took place at Savona, and watch the progress of the whole affair until the downfall of the French Empire restored to the Pope his liberty, and completely altered the relations between France and the Holy See. There is no doubt that the Emperor, notwithstanding all his despotic ideas, was afraid of creating a schism in the Gallican Church; the opposition of the prelates was more unanimous than he had expected, and he was anxious to bring about a kind of reconciliation between the Council and the Pope. The negotiations began with Pius VII. at Savona, and followed by his imprisonment at Fontainebleau, lasted from the beginning of September, 1811, to the end of February, 1812; they thus extended over the period in which the ruin of the Empire may be said to have been consummated, and when the exigencies of war prevented Napoleon from bestowing upon other affairs the attention they required. And yet such was the state of prostration and insignificance to which the French press had sunk that none of the persons concerned in this transaction ventured to speak the whole truth about it, and until M. d'Haussonville attempted to give us the authentic history of the ecclesiastical difficulties of the first French Empire our information on the subject was most provokingly incomplete. There is no reason, however, why

at the present day we should not know the facts such as they were, and our author has been able to place them before us. In his last chapter he gives an interesting account of the ultimate history of the principal persons who took a part in the ecclesiastical and political drama of which he has related the various episodes, and he contrasts the haughty, contemptuous description of the whole episode left by Napoleon in his memoirs, with the touching letter written in 1817 to Cardinal Consalvi by the Pope on the subject of the exiled Emperor's illness at Saint Helena. The original documents added to this volume exceed a hundred in number, and are of the most valuable character.

M. Ernest Mourin has undertaken to give an account of the Capetian dynasty, and to show the progress of the feudal system during that epoch.* Compared with the Imperial traditions which the Merovingians, and Charlemagne after them, endeavoured to perpetuate, feudalism is essentially liberal; nay, it is, says M. Mourin, the offspring of freedom. If the opposite view has hitherto prevailed, it is because two societies totally different from each other in their origin and their spirit are generally confounded together. The aristocracy of the tenth century, so proud of its independence, so eager to assert its rights, has nothing in common with the *noblesse* which, from Francis I. to 1789, strengthened the despotism of the King by associating with it the local exactions of a caste which made the people pay for the degrading servitude it had accepted for itself. The feudal system, M. Mourin adds, by no means retarded the general progress of society. All classes moved up one step higher, and even the serfs, whose destiny seems to us so deplorable, were, all things considered, very superior to the slaves of the Romans. M. Mourin has not attempted to write a complete history of feudalism, and his narrative embraces merely the epoch included between the reign of Eudes and that of Hugues Capet. We can study the last efforts of the Imperial system to retain its hold upon the people; we see it helped in its struggle by the Church; the Carolingians represent the old *régime*, whilst the new one finds its champions in the Counts of Paris. M. Augustin Thierry had already observed that the accession of the Capetian dynasty to the throne of France was really the advent of a new nationality, formed from the blending together of the Celtic and Teutonic races. He erred, however, says M. Mourin, when he imagined that the Carolingians fell because they were too German; the cause of their political ruin was, on the contrary, their identification with Latin traditions and sympathies; they represented the Imperial monarchy and Roman centralization, and therefore they succumbed. Such are the leading ideas of M. Mourin's preface; the book itself, written sometimes in a style a little too emphatic, is interesting on the whole. The author has no sympathy with centralization, and his subject leads him to make some gloomy remarks on the tendency to a spurious unity which, after ruining France, has now become popular on the other side of the Rhine.

Several scientific works have reached us lately from Paris, chiefly of a popular character. We must here notice the new instalment of M. Figuier's *Année scientifique*.† For the last thirteen years we have been accustomed to the periodical visits of this writer, and every time the well-known yellow-covered duodecimo makes its appearance we give it a hearty welcome. The principal facts recorded in the volume for 1870 are the celebrated controversy respecting the Pascal-Newton case at the Académie des Sciences, the Suez Canal, and the connexion of Troppmann's crime with the public health. Respecting the first of these topics enough has been said perhaps to satisfy general curiosity, and as Vrain-Lucas, the manufacturer of the famous autographs, is now sentenced to two years' imprisonment for his forgeries, there will perhaps, for some short time at all events, be an end of those mysterious discoveries of manuscript documents which used to excite so much interest amongst curiosity hunters. With reference to the great engineering work successfully accomplished by M. de Lesseps, M. Figuier completes the details already given in the *Année scientifique* for 1856, and his remarks are illustrated by an excellent map of the new Canal borrowed from M. O. Ritt's larger description which we noticed a few months ago. It may seem wonderful to some people how the famous Pantin tragedy can have any connexion with the state of the public health; but we are told that the shock produced by Troppmann's murders has affected to a lamentable degree the health of persons whose powers of imagination are great and whose nervous system is easily excited. The concluding chapter of M. Figuier's volume contains as usual short biographical sketches of scientific men who have died during the last twelve months. On the long list appear, amongst other celebrities, the names of Professor Graham, M. Libri, Viscount d'Archiac, and M. Bérard.

We must also notice, among other popular works recently published on scientific subjects, M. Amédée Guillemin's interesting account of the sun †, illustrated with numerous woodcuts. M. Lucien Biart's *Aventures d'un jeune Naturaliste* § are supposed to take place in America, and the glowing descriptions of tropical plants and animals intermingled with stirring incidents are well calculated to rivet the attention of young people. The book is beautifully illustrated. M. Jules Verne almost goes be-

* *La Cité antique; étude sur le culte, le droit, etc., de la Grèce et de Rome.* Par Fustel de Coulanges. 3e édition. Paris and London: Hachette & Co.

† *L'Homme au masque de fer, d'après des documents inédits.* Par Marius Topin. Paris: Didier.

‡ *L'Église romaine et le premier Empire, etc.* Par le comte d'Haussonville. Vol. 5. Paris: Lévy.

* *Les comtes de Paris; histoire de l'avènement de la troisième race.* Par Ernest Mourin. Paris: Didier.

† *L'Année scientifique et industrielle.* Par Louis Figuier. 14th year. Paris.

‡ *Le Soleil.* Par Amédée Guillemin. Paris: Hachette & Co.

§ *Aventures d'un jeune Naturaliste.* Par Lucien Biart. Paris: Hetzel.

yond the proper limits of the grotesque* in discoursing about the moon, and the scientific part of the volume is mixed up with details which are intended to be ludicrous but can hardly be said to be entertaining.

M. Drapeyron has obtained the doctor's degree in the French University on the strength of two remarkable essays, French and Latin, which are now presented to the public. The French disquisition is a monograph on the Emperor Heraclius,† M. Drapeyron may perhaps be accused of making too much of his hero; and it would certainly be vain to expect from outsiders that enthusiasm in favour of the Byzantine monarch which prevails through the pages of his biographer. Several questions of considerable importance are, however, affected more or less by the history of Heraclius. In the first place, the chief authority respecting his life is George of Pisidia, and it is necessary to ascertain how far the evidence which this historian supplies is trustworthy. M. Drapeyron is inclined to exaggerate its value, and, as he has largely drawn upon it, some critics may be disposed to think that his work is a romance rather than a *bona fide* historical document. George of Pisidia was a courtier quite as much as a poet; and his description of the campaign of Heraclius is written in a strain of panegyric which reminds us of pseudo-epic poetry. On the other hand, it is only fair to observe that his reputation is to a certain extent a proof of his veracity; he was a courtier, no doubt, but he was honoured with the confidence both of Heraclius and of Sergius, and there is probably a substratum of truth underneath his hyperbolical language. His official position would, moreover, prevent him from falling willingly into exaggerations which could not but be immediately detected; and finally, the study of other chroniclers who had no interest in either concealing or extenuating the truth proves that his narrative is in the main accurate. We think, therefore, that M. Drapeyron has on the whole made a judicious use of the materials at his disposal, and that the occasional exaggeration into which he falls detracts in no way from the substantial merit of his work.

M. Drapeyron's Latin essay bears likewise upon a question of history, and is intended to show the part performed by the Burgundians in the constitution of mediæval society.‡ If they were vanquished by the Romans they always remained distinct from their conquerors, and on this point Ammianus Marcellinus has committed a serious blunder. In spite of their defeats the Burgundians remained Germans in feelings and in habits; they accepted, however, the civilization of the Romans, and as they did so earlier than any of the other tribes conquered by the Franks, their influence upon these barbarians was marked and most beneficial. Allowing for occasional errors, M. Drapeyron's essay is a valuable contribution to the history of mediæval France.

M. Jules Gaultier has added a new work to the numerous histories which have already been published on the unfortunate Queen of Scots.§ He begins his preface by enumerating the various authors who have written either for or against Mary Stuart in England and elsewhere; on one side, the Bishop of Ross, Belleforest, Adam Blackwood, Chalmers, Miss Strickland, M. Wiesener, and quite lately, Mr. Hosack; on the other, Buchanan, Malcolm Laing, Mr. Hill Burton, M. Mignet, and Mr. Froude. But in discussing so important a question we must, he remarks, consult original documents and State papers, and in the case of Mary Queen of Scots an immense amount of evidence of that kind has been handed down to us. M. Gaultier says that after perusing M. Mignet's volumes he was quite persuaded of the Queen's guilt as the murderer of Darnley; but he is now convinced, by a study of original sources, that after having, with the help of the Queen of England, dethroned their own sovereign, the Scottish barons, in order to secure the fruit of their victory, endeavoured to cast upon the unfortunate Mary crimes of which they themselves were the authors or the accomplices. The Simancas archives have been specially examined by M. Gaultier, and have supplied him, as he believes, with conclusive arguments against the authenticity of the casket letters. In a very long essay, forming part of the appendix to the second volume, he goes minutely through the whole argument, and the case he makes out deserves to be seriously examined. His *Histoire de Marie Stuart* is a work written with great care, based upon an attentive study of all accessible sources of information, and evidently inspired by a desire to get at the truth.

The *Mémoires d'une Sœur de Charité*||, for the editing of which we are indebted to Madame Gagne, are authentic we suppose, but they have all the interest of a novel—and, we may add, of a wholesome novel. Let us hope that *Sœur Théotime*, whose adventures are here related, was a real personage; it is refreshing to think that heroines of this kind are still to be found occasionally in this world. Her reminiscences of Napoleon, of Marshal Duvoust, and of the Duchess of Angoulême give a good deal of interest to this delightful volume.

M. Hippolyte Rodrigues is a Jewish writer who has for some time distinguished himself as a controversialist. In his volume on the Sermon on the Mount he endeavoured to show that the

* *Autour de la Lune*. Par Jules Verne. Paris: Hetzel.

† *L'empereur Heraclius, et l'empire byzantin au VII^e siècle*. Par L. Drapeyron. Paris: Thorin.

‡ *De Burgundia historia et ratione politica Merovingorum atque dissenserit L. Drapeyron*. Paris: Thorin.

§ *Histoire de Marie Stuart*. Par Jules Gaultier. Paris: Lacroix.

|| *Mémoires d'une Sœur de Charité*. Publié par Mme. Gagne. Paris: Didier.

doctrines there taught by Our Lord reproduced the moral code inculcated by the Pharisees, and he took up the line of argument which Mr. Deutsch has worked out in his well-known article on the Talmud. The present volume* is an attempt to prove that the events related in the Gospels were the efforts made by a Jewish patriot for the purpose of throwing off the Roman yoke, and restoring to Israel its political independence. In order to establish this position, M. Rodrigues assumes that the Gospel narrative has been interpolated and falsified according to the views of three different parties—1, the Judeo-Christians, including the Apostles, the relatives of Jesus and his immediate disciples; 2, the Paulinists, or Greeks converted by St. Paul to that particular system of theology with which the apostle of the Gentiles is universally connected; 3, the Johannites, who, more deeply versed in metaphysical doctrines, viewed and interpreted the life of Christ from the Gnostic stand-point. His concluding assertion is that the Pharisees were really the allies and abettors of Jesus in his revolutionary designs, and that they forsook him only when they saw him venturing beyond the bounds of prudence and discretion. Such is the gist of a volume in which everything is taken for granted, and mere hypotheses are boldly presented as well-authenticated facts.

Amongst the works of fiction we have to notice, the most curious perhaps is M. Ch. Szajnoda's historical tale entitled *Le Château de Zolkiw*†, which is intended to show us what Poland was during the seventeenth century. The editor has added a kind of preface, in which he affirms that the opinions pronounced by Montesquieu and Rullier's on the constitution and government of the Poles are altogether erroneous, and that the political institutions of the Slavonic races are quite as good as ours, though of a totally different character. The tale itself is only part of a series, and will interest even readers who do not share the editor's admiration for an administrative system which transformed Poland into a permanent focus of revolution.

* *Le Roi des Juifs*. Par Hippolyte Rodrigues. Paris: Lévy.

† *Le Château de Zolkiw*. Par Ch. Szajnoda. Paris: Lévy.

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